

THE
NORTH BRITON,

FROM

N^o. I. to N^o. XLVI. inclusive.

WITH

Several useful and explanatory NOTES,

Not printed in any former Edition.

TO WHICH IS ADDED,

A copious INDEX to every NAME and ARTICLE.

CORRECTED AND REVISED BY

A FRIEND TO CIVIL AND RELIGIOUS LIBERTY.

L O N D O N:

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NORTHAMPTON

TO THE
ENGLISH NATION,

THE GLORIOUS PROTECTORS OF
CIVIL AND RELIGIOUS LIBERTY,

THIS VOLUME IS,

WITH MUCH REAL DEFERENCE, AFFECTION,
AND HUMILITY,

INSCRIBED,

BY

ENGLISHMEN.



T H E

NORTH BRITON.

Numb. I. Saturday, June 5, 1762.

SEJANUS, WOLSEY, hurt not honest FLEURY,
But well may put some STATESMEN in a Fury.

POPE.

THE *liberty of the press* is the birth-right of a BRITON, and is justly esteemed the firmest bulwark of the liberties of this country. It has been the terror of all bad ministers; for their dark and dangerous designs, or their weakness, inability, and duplicity, have thus been detected and shewn to the public, generally in too strong and just colours for them long to bear up against the odium of mankind. Can we then be surprized that so various and infinite arts have been employed, at one time entirely to set aside, at another to take off the force, and blunt the edge, of this most sacred weapon, given for the defence of truth and liberty? A wicked and corrupt administration must naturally dread this appeal to the world; and will be for keeping all the means of information equally from the prince, parliament, and people. Every method will then be tried, and all arts put in practice, to check the spirit of knowledge and enquiry. Even the courts of justice have in the most dangerous way, because under the sanction of law, been drawn in to second the dark views of an arbitrary ministry, and to stifle in the birth all infant virtue. From this motive, *in former times*, the King's-bench has inflicted the most grievous punishments of fine, pillory, or imprisonment, *or perhaps all three*, on some who have stood forth the champions of their country, and whose writings have been the honour of their age and nation.

Under the government of a STUART, which has been so fatal to ENGLAND, the most daring encroachments have been made on the favourite liberties of the people, and the freedom of the press has been openly violated. Even a *Licensor* of the press has been appointed. Nothing but the vilest ministerial trash, and falsehoods fabricated by a wicked party, had then the sanction of this tool of power; nor of consequence could any production, breathing the spirit of liberty, have a chance of being ushered to light. The *imprimatur* of the minister was scarcely ever given, but to compositions equally disgraceful to letters and humanity. I do not however recollect that any of these hirelings have ventured, as the BRITON of last Saturday has done, magnificently to display the *royal arms* at the head of their papers. Does this author mean to *intimidate*? Or is it to insinuate that this new paper comes forth, like the GAZETTE, *by authority*, and that he is fighting under the ministerial banner? All opposition therefore to him, according to this idea, is to be considered as an indignity offered to the administration, and an affront to the higher powers, who may be supposed to protect, perhaps to pay him. This is surely too stale a trick now to pass. I rather think the *royal arms* are prostituted by a mercenary scribbler, as much as the

royal name was in a certain great assembly, when *minute guns were fired* over the late minister*.

This BRITON steps forth, like the other court champion DYMOCKE, to a dreadful fight without an adversary; to receive, like him, I suppose, the reward of a well-fought day. Safe, and of consequence bold, as DYMOCKE, he has no enemy but himself to combat. No attack has been made on the crown; none but himself has *dared to aim any fire-arrows at the bosom of a sovereign that never knew disgrace*. He, and only He, has mentioned a resemblance between the reigning prince and Tiberius, which I believe has never occurred to any one else. To him belongs the ignominy of having *broached this calumny with his hand, to which his heart must have given the lie*. The MONITOR has indeed charged the cannon, but the BRITON has pointed it against his sovereign. He pretends to have discovered the source of his calumny in the MONITOR of Saturday May the 22d. I have read that MONITOR very carefully, and I affirm that there is no mention of TIBERIUS through the whole of that paper, excepting in the motto from TACITUS, nor is any such character drawn. Count BRUHL's indeed is, and by the hand of a master. He is compared, but by the motto only, to SEJANUS. The comparison need not extend farther. A minister may in all points resemble SEJANUS, or Count BRUHL, and yet his royal master need not be a TIBERIUS, or AUGUSTUS III. The sovereign may be a TRAJAN, or a TITUS, the delight of mankind; and his only fault, in his people's eyes, may be an unbounded confidence in an insolent, weak, and treacherous minister.

This foolish BRITON proceeds to produce himself amidst the parade of pompous professions, and vile alliterations. He calls upon the MONITOR to produce one instance of *insolence, cruelty, profligacy, or oppression, chargeable on the King of Great Britain; or to exhibit one specimen of his weakness and tyranny*. These are things which never occurred to any man's mind, because they never existed. Something like this has happened under every King since the conquest, to every profligate minister who wants to involve his master with him. The valiant DYMOCKE, like this writer, has in all ages founded forth,

*If any person, of what degree soever,
high or low, shall deny or gainsay, &c.*

and then the champion throws down his gauntlet, which I never heard of any person's being fool-hardy enough to take up. But is not this a clever plot to hang the poor MONITOR, or at least to get him into the cruel hands of a revengeful and unforgiving crew? Let me beg of you, Mr. MONITOR, do, commit treason: pray be taken up by CARRINGTON, and tried by MANSFIELD: his regard to the liberty of the subject is known, and his tender mercies will not be cruelty. I trust the MONITOR has more wit, and that he has not *lost sight of all regard to his own safety*; but will proceed in the way he has hitherto walked, and continue to administer wholesome satire wherever it is merited, instead of that nauseous and fulsome panegyric, with which the BRITON makes us sick. The BRITON next calls upon him to discover *one circumstance even*; then insults him with *he cannot, he DARE NOT, descend to particulars, which would answer his purpose, but restrains himself to a general charge*. Now I will maintain that no charge at all has been brought by the MONITOR against his sovereign; and that the most gross satire has come from the venal pen of this wretched BRITON, who throughout his paper has himself *first insinuated the vilest falsehood, a similitude between the characters of TIBERIUS and his own sovereign*.

The BRITON says, that "in any court of judicature a general charge, unsupported by evidence, is answered and refuted by a general negation." His assertions are every where much more general than the MONITOR's; nor does he ever dare to descend to particulars. He affirms, *the administration is conducted with such integrity as defies reproach*. The King of Prussia, still our ally, tells the world the contrary. He proceeds to say, *with such vigour and success as, one would think, might silence the most inveterate malice*: name what success, the time when, the place where. Sure you dare not allude to the unfair and *underhand* offers to the court of Vienna for

* This alludes to the rapid eloquence of the Scottish minister, who, as Donne says, *Between each word he gives, gives a full minute*, and by attention to words, endeavours to make amends for want of sense.

for an immediate accommodation in consequence of cessions to be made to them in Italy, *or elsewhere*, because it is now known those offers have been treated with the contempt they deserved. As to *vigour*, the spirit of the war has for some months infamously languished, nor is it yet revived. I own indeed that *the whole kingdom echoes with the sound of triumph and festivity*, but it is from the glorious conquests of the late administration, to which no addition whatever has been made by the present. Where are their trophies? In what part of the world have they gathered their laurels? Surely, in defiance of decency and justice, they have not endeavoured with their rude hands to tear from any sacred brow those fairly won, in order to place them on their own.

This author only gives himself out for a *Briton*. I have heard of a paper called a *Free Briton*; why has he dropt the title of *Free*? I am sure it never could be more properly applied, according to that famous verse,

—*Nunquam libertas gratior exstat*

Quam sub rege pio.—

But it is not for *freedom* that this writer chooses to draw his grey goose-quill. As little pretensions has he to the title of *True Briton*. Conscious of this, he only gives himself out as a *Briton*; a circumstance equally common to him and *Buck-horse*. I wish the *BRITON* had given us any clue to unravel what his real views, besides pay or a pension, could be. He only declares his design to be to detect the *falsehood of malice*: mine shall be to detect the *malice of falsehood*—of his in particular; and he shall find that I will exert the undoubted privilege of every *NORTH BRITON*, that of speaking my opinion freely on every subject that concerns the community, of which I am a member. Though I am a *NORTH BRITON*, I will endeavour to write *plain English*, and to avoid the numerous *Scotticisms* the *BRITON* abounds with; and then as the world is apt to mistake, he may be taken for a *Scotsman*, and I shall pass for an *Englishman*.

What I have to say of myself, shall soon be dispatched. I thank my stars, I am a *North Briton*; with this almost singular circumstance belonging to me, that I am *unplaced and unpensioned*: but I hope this reproach will soon be wiped away, and that I shall no longer be pointed at by my sneering countrymen.

I shall now, till next Saturday, take leave of this writer with an excellent observation which I lately read in Sir WILLIAM TEMPLE:

“ Thus much is certain, that whatever means will restore or raise the credit of his Majesty’s government at home, will do it abroad too; for a king of England, at the head of his parliament and people, and in their hearts and interest,” (as our sovereign now is, and from his virtues ever must be,) “ can never fail of making what figure he pleases in the world, nor of being safe and easy at home; and may despise all the designs of factious men, who can only make themselves considered by seeming to be in the interest of the nation, when the court seems to be out of it. But, in running on counsels contrary to the general humour and spirit of the people, the king indeed may make his *ministers great subjects*, but they can never make him a *great prince**.”

Numb. II. Saturday, June 12, 1762.

Malè se res habet, cùm, quod VIRTUTE effici debet, id tentatur PECUNIA

Things are in a bad way, when money is employed to bring about what should be effected by virtue. CICERO.

I Cannot conceal the joy I feel as a *North Briton*, and I heartily congratulate my dear countrymen on our having at length accomplished the great, long sought, and universally national object of all our wishes, the planting a *Scotsman* at the head of

* The first *Briton* was published May 29, 1762. The *North Briton* began on the Saturday following.

of the *English* Treasury. I was indeed before very well pleased with the conduct of the * two other gentlemen at that board, who are likewise natives of our country; but then they were obliged to serve under a noble † Duke of a peculiar cast, whose views were most evidently neither to enrich himself, nor to aggrandize us. My joy and exultation are now complete, for I have lived to see my countryman, the Earl of BUTE, adorned with the most noble order of the *Garter*, (which hath been given to us with so sparing a hand, and only for the most brilliant national services) and presiding over the finances of this kingdom. This is the post which the prime minister hath generally kept for himself, and is of the first importance in this country. It must ever be so in times of war, and above all in this wide-extended but glorious war, when nearly the sum of twenty millions will be this year raised on the subject; though, I thank heaven, but a *fortieth* part of it will be paid by us. This, I must confess, is matter of still greater triumph to me; for the poor pittance we pay to the support of the public, does not give us even the most distant claim to the disposition of the whole, much less to the direction of the most important department of the state, our share of the legislature being much to our advantage settled at about a *thirteenth*, not a *fortieth*. It is clearly then merit, superior to all the *English* nobility, which has raised the Earl of BUTE to the first dignities, and to the power of disposing of so great public treasure.

Another circumstance must make this event peculiarly grateful to us. The Earl of BUTE has no *hereditary* right to a seat in parliament, nor is he elected by the free voice of the people: no; he is chosen by the *opulent* and *independent* nobility of Scotland; and when the commons have such various marks of favour and affection shewn to them, it must be a satisfaction to so many *free* and *loyal* nobles to see the object of their choice thus honoured, trusted, and rewarded for all his public toils and *private services*. Our *ancient kingdom* therefore cannot but be satisfied, and by every tie of gratitude, as well as duty, must *now* be sincerely attached to the government. The most suspicious can have no doubts concerning us for the future, in case of a rebellion's springing up in any other country; which, to me, seems *highly improbable*.

The wisdom of this measure hath been decried by shallow politicians, because two great rebellions from *Scotland* have within a few years disturbed the tranquillity of this island, and shook the throne of two of the mildest and best sovereigns who ever governed a happy people. Nothing can be more weak or frivolous than this objection. Let us only consider what has before happened there; and I choose to instance in the latter end of Queen ANNE's reign, because so many of our modern writers are drawing our attention to that period. Upon what grounds they proceed I know not, for I find no similitude, as it is impossible we can now be suing for peace in the most *abject* and *humiliating* manner after such amazing successes. In May, 1712, each of the heads of the Highland clans received 360 *l.* sterling, as a compleat year's payment of the bounty-money her Majesty was pleased to bestow upon them: these were the words of the receipt. Soon after they signed an address to the Queen, which was carried to London by *Allan Cameron*, brother to *Lochiel*, and presented to her Majesty, *Allan* being introduced by the Lord Treasurer *Oxford*, who was then the head of the *TORY* faction. In the address are these words: "Happy! if after your Majesty's late demise, to put a period to our intestine divisions, the hereditary right and parliamentary sanction could possibly meet in the person of a *lineal* successor." At the accession of the present illustrious family, the same Highland chiefs wrote a letter to the Earl of MAR, *intreating him to assure the government in their names, and in that of the rest of the clans, of their loyalty to his sacred Majesty King GEORGE; and that as they were always ready to follow his directions in serving Queen ANNE, so they will now be equally forward to concur with his Lordship in faithfully serving King GEORGE*. The Earl of MAR too had wrote the warmest letter of loyalty to his Majesty's great grandfather, and had taken the oaths of allegiance and abjuration; yet in a few months, even before there could be the pretence of a single grievance, all these infamous wretches went into open rebellion. Had the 360 *l.* a year bounty-money been continued to them, and had the

* Gilbert Elliot, and James Oswald, Esquires.

† Duke of Newcastle.

the Earl of MAR remained secretary of state for Scotland, as he was at the death of Queen ANNE, some millions, which it cost to extinguish that rebellion, had probably been saved to this country. I therefore most sincerely hope, that as we have now a *Scottish* nobleman at the head of the treasury, his Lordship will consider it as the truest *economy* to give some proper pensions to his countrymen the Highland chiefs, which may save England the severe and expensive operation of quelling another insurrection, and bleeding again a country, which, I lament, is so much exhausted by former rebellions, and the present general desertion of her sons and daughters. If this is done, I make no doubt but they will as implicitly follow the Earl of BUTE as they did the Earl of MAR. I never shall be brought to believe, that *rebellion* is natural to any part of *Scotland*, as the plague is said to be to Egypt; but certainly in some parts this wicked spirit has been kept up with much art; and the late most unnatural rebellion was carefully nursed by Scotsmen, till it became the most accursed fiend we ever saw, which all the united plagues of Egypt could never equal. I cannot but say, the peculiar baseness and perfidy of my countrymen at that time struck me; for while the *English* were so gallantly fighting for the liberties of Europe, and indeed of mankind, they were called back to deal out halters and gibbets to their fellow subjects of *Scotland*, who were forging chains for both nations; and, worse than the infamous Cappadocians of old, not only refused the liberty they might enjoy themselves, but endeavoured to entail *their* vassalage and slavery on the whole island.

To quit so disagreeable a subject: while I am taking the liberty of pointing out to the noble Lord, now at the head of the Treasury, the proper method of bestowing a part of the public treasure, I by no means intend to limit his bounties to my own countrymen. His Lordship has been overflowing in goodness to several of the *English*, and besides the *Scots* I have already named, I would beg to recommend the patriots at the *Cocoa-tree*, if there are any left, who are still unprovided for by him. The just and *constitutional* claim they have on *this* royal family is uncontrovertible. I am glad it is at length admitted, and their merit rewarded. Most of their estates have suffered by their zeal in the cause of liberty. Their support of government has been steady and uniform; and as they at first exerted themselves in the expulsion of *Tarquin*, they have never repented it, nor have they ever been caught in any plots for his restoration. I really think this will make a more natural union with the countrymen of the new Minister than any other he can find here, and the illustrious house of Hanover will derive the truest strength from these *old* and *firm* friends.

I hope to be forgiven, if I add one hint to his Lordship, who is new in money business. Whatever is of the greatest convenience or use ought to be first attended to. I think therefore the first money issued by his Lordship should be the four thousand pounds very lately given for building a new bridge over the *Tweed*. I trust it will be finished this summer, as my family are very impatient to pay me a visit, and I have not seen any of them since I took a walk up hither. Besides, this grant is of so new a nature, that it ought particularly to be considered. Westminster bridge was chiefly built by lotteries, and the city of London gave up very great tolls in consideration of the sums granted to them for the repairing their bridge. The four thousand pounds for this bridge over the *Tweed* are taken out of the supplies of the year. Though this is so new a thing, much more than a sufficient and adequate compensation will be made the Public by the number of my countrymen, who are hastening here with all their *wealth* and *manufactures*.

I am happy to find, that the *English* are not so sparing and penurious to us, both of money and praise, as they used to be. We are certainly growing into fashion. The most rude of our bards are admired; and I know some choice wits here, who have thrown aside *Shakespeare* and taken up *Fingal*, charmed with the variety of character, and richness of imagery. Mr. Horace Walpole, in that deep book, called *Royal and Noble Authors*, says, we are *the most accomplished nation in Europe; the nation to which, if any one country is endowed with a superior partition of sense, (and he ought to have added of humour and taste, in both which we excel) I should be inclined to give the preference in that particular.* How faithful is this masterly pen of Mr.

B

Walpole!

Walpole! How unlike the odious, sharp, and strong incision pen of *Swift!* He has called us only a *poor, fierce, northern* people, and has asserted, *that the pensions and employments possessed by the natives of Scotland in England amounted to more than the whole body of their nobility ever spent at home; and that all the money they raised upon the Public was hardly sufficient to defray their civil and military lists.* This was at the latter end of Queen Anne's reign. How very different is the case now! I beg to recommend Mr. Walpole too, for so very particular a compliment, (which I hope flowed from his *heart*, still more than from his *head*) and I entreat his Lordship to put him on the list, immediately after my countrymen, and the Cocoa.

There are only two other persons I have to recommend to his Lordship. I must say a word of the poor BRITON: he deserves something—I will not name what—for sacrificing, at the shrine of BUTE, grammar, conscience, and common sense, for his Lordship's *glorification*: I will borrow only one word from the BRITON. Do not I too deserve something for reading every week the flimsy productions of so weak a head?

Numb. III. Saturday, June 19, 1762.

Nos patriam fugimus.

We all get out of our country as fast as we can.

VIRG.

I HAVE already received a variety of letters from my correspondents. I must confess, that they are for the most part written in as peevish and angry a stile as the BRITON; and, after his manner, many foul and opprobrious epithets are bestowed on me. Some brand me with the name of a Trimmer, and charge me with having taken up the Pen only to be paid for laying it down again. Others assert, that I stand, like most of the *High and Mighty GERMAN PRINCES*, ready to let out both my *Pen* and my *Conscience* to the best bidder. Some of my own countrymen, with much bitterness, call me a *false Scot*; while on the other hand the English with much bitterness call me a *true Scot*. I am upbraided with having said, that *Scotland is exhausted by former rebellions, and the present general desertion of her sons and daughters*: the assertion is, alas! too true; and the fact too glaring to be denied. Like the Jews, we are spread over the face of every country, (except *our own*) and of this in particular. I regret it exceedingly, and the more, as I am afraid the evil is without a remedy; for I have never heard of any one of my countrymen being attacked with the *patrialgia*, the *maladie du Suisse*, (the *home-ach*, as it has been happily called) and in consequence languishing till he returned to *Scotland*. This is an old reproach on us; perhaps as antient as our kingdom itself. The English have never ceased to upbraid us with it. Their great poet Dryden (so confessedly superior to all the moderns, except Mr. John Home) in his *Abalom and Achitophel*, says,

For never *Hebronite*, tho' *kick'd* and *scorn'd*,
To his own country willingly return'd.

Hebron, in the key, is *Scotland*. Whence can this peculiarity arise? Does not the *natale solum* inspire the same pleasing sentiments, though not *longings*, to us, as to the rest of mankind? All other nations speak of this sensation in the highest strains of rapture. I believe the true and fair reason is this: though our civil and military lists are filled by ourselves, and we have so carefully excluded almost every Englishman, and other foreigners, yet, as they are by no means adequate to all our necessities, a very considerable number of my countrymen are always sent out (like the Goths and Vandals of old) to fill the civil and military posts in other nations. How successful we have been in the pursuit, not only in this kingdom, but in France too, our *eternal* ally, is visible to all the world. I have an idea of publishing the
names

names of my countrymen, who with so much honour have filled so many considerable posts at Paris, Rome, Avignon, St. Germain, &c. As to those here a publication of that kind would be unnecessary, as it would be transcribing almost the whole *red book*, which is already in every body's hands.

If the observation be true, that the riches of every country consist in the number of its inhabitants, (not the proud and idle, but the industrious inhabitants) how poor, alas! are we even in this respect? An expedient however might perhaps be found, which would bid fair to re-people my dear country. The experiment might indeed go rather too far, but it was the advice given to a former king, who suffered greatly for neglecting it, by a singular, disinterested *Scotchman* and *Churchman*, Archbishop SPOTSWOOD. When his Grace went to take leave of King CHARLES the First, who was setting out for *Scotland* in 1639, he advised his Majesty to make a catalogue of all his counsellors, household-officers, and domestic servants, and then with his pen expunge all the Scots, beginning first with himself, the Archbishop, who had given the counsel; conceiving that no man would accuse his Majesty of partiality, when he found the Archbishop of St. Andrews, who so many years had served his father and himself, expunged among the rest; that he must not hope to win upon the Scots by condescensions, sweetnesses, or acts of grace, &c. The reason of which counsel was, because he had found, by sixty years experience, that they were generally a people so stubborn, that they were gained by punishments, and lost by favours. Archdeacon Eachard's History, 2d vol. folio, p. 151, 152.

I have some little business this week to settle with the BRITON. I desired him to name any instance of *vigour* and *success*, which had attended the present administration; and he tells me of the important conquest of Martinique, Granada, and the neutral islands in the West Indies. He might have mentioned Louisbourg, or Pondicherry, with as much propriety; and the present administration are surely rather too knowing (though this writer is ignorant) to lay any serious claim to the merit of either. Could the BRITON read men, and had he seen his patron, when the news of the reduction of Martinique first arrived, he must have marked, in the most dejected and distressed countenance I ever beheld, very clear proofs how unwelcome that event then was. I remember it was a general observation, that the common congratulations on so great and national an occasion were received with coldness. It was not difficult to find the reason. The late minister closed all his glories with this great and important success. He had the happiness of covering with laurels a beloved prince, whom, I suspect, many false friends would rather see covered with a crown of thorns and *thistles*. Notwithstanding all the calumnies of the BRITON, this gentleman's honour is still unfulfilled, and his glory unclouded. *Ea autem est gloria, laus recte factorum, magnorumque in Rempublicam meritorum: quæ cum OPTIMI CUJUSQUE, tum etiam MULTITUDINIS testimonio comprobatur.*

With regard to the present expedition, the full merit of it cannot yet be ascertained to the public. Mr. PITT's legacy to this ministry, of a collected and powerful mass of force in the West Indies, (not the bitter dregs of an exhausted cup*, but part of a solid plan for greater success) now remaining at their disposal in consequence of the reduction of Martinique, may cause the new expedition to be adequate in force to the important object. If therefore the conquerors of that island have not, in consequence of *delay*, the season to combat with, (the only enemy they cannot vanquish) a decisive blow may still be struck to the heart of Spain, and a glorious conclusion made to this most successful war. In the mean time, let every true lover of his country cease to adopt that *unmanly despair*, which has been so industriously inculcated in order to justify the procuring an accommodation on any terms. That *despair* counteracts the purpose, and serves only, by encouraging the enemy, to place the blessings of peace at a still greater distance.

The BRITON, in his first paper, broached a shameful calumny against his sovereign, of a similitude to *Tiberius*. In that of last Saturday, he attacks the memory of our late most excellent prince with equal virulence. He talks of his *prejudices* and *predilections*, and calls him a *weak sovereign*. Is this the return which a Briton makes for an unclouded æra of above thirty years of the truest liberty this nation ever enjoyed?

* This was the phrase of Mr. George Grenville.

enjoyed? Are the sacred ashes of a king, who made the laws of his country the only rule of his government, and founded his own happiness in that of his people, thus to be trampled upon? Surely this is the height of baseness and ingratitude; but it is the despicable, though fashionable cant of a party, who are daily making their court to an illiberal patron by the most indecent outrages offered to their late sovereign and benefactor: a liberty, not to say licentiousness, very unfit to recommend those who are guilty of it to the favour of a prince, one of whose amiable qualities is a filial regard to the memory of his predecessor.

The BRITON says, "that the MONITOR has found a co-adjutant, who appears under the name of NORTH BRITON, though he shrewdly suspects, however, that these seemingly distinct personages are one and the same individual." His suspicions are neither *shrewd* nor *true*; and I can assure him, that both the MONITOR and NORTH BRITON (for there is a *duality* belonging to us) have laughed heartily at the BRITON's total ignorance of stile as well as politics. From what I have read of the BRITON, I do not desire to converse with him; but I wish to know more of the MONITOR.

The BRITON tells me, that the *King's Arms* make the sign of his publisher. I believe this is the only instance of veracity in his whole paper: still my objection recurs. It is indifferent to me where else the *royal arms* may be displayed; but it is equally *indecent* and *insolent* to blazon them forth with such pomp at the head of a political paper: *indecent* with respect to the crown, *insolent* with respect to the subject. Had any other *arms* been there, I had made no objection; no, not if the *Bute arms* had been at the head of the paper, as they might with the strictest propriety; provided however that they were not above the *royal arms*.

A D V E R T I S E M E N T.

Whereas a certain great personage, who was lately inoculated for a *reigning* disorder, had very near miscarried through the unskilfulness of the *operator*: this is to inform the Public, that there is lately arrived from the *Highlands* one DUN SCOTUS, who can prove, from the *best Scottish historians*, that the malady hath continued in his family, without intermission, above *twelve thousand years*. He communicates the disorder with a single touch, and is to be met with between the hours of Ten and One, at the sign of the *Highlander*, in *Scotland-yard*, near the Treasury.

N. B. *No infection, no pay.*

Any person who can make out an *hereditary* right to the disorder, though the entail hath since been cut off through his absence from his own country, shall be touched *gratis*.

The utmost honour and secrecy may be depended on, the operator being a man of *quality* in his own country, and possessing an *easy* and *independent* fortune of forty Shillings per Annum.

Numb. IV. Saturday, June 26, 1762.

Θαυμάζειν μοι ἐπισιν ὅπως Βυλος ἐστὶ σοφιστής,
Μὴτε λόγον κοινόν, μὴτε λογισμὸν ἔχων.

It is surprizing to me how Bute can be a politician; a man, that has neither wisdom, nor even common sense.

Anthologia. Ed. Brodœi, fol. Franc. 1600, l. ii. p. 250.

TO THE NORTH BRITON.

My dear Countryman,

AT a time when the popular clamour is industriously raised, and the strongest prejudices are conceived against us by the whole *English* nation, I am glad to find a man who dares stand forth to the Public, and glory in the name of a *North Briton*.

Briton. I have not yet read your papers, but I will not doubt of their being founded on that great and governing principle of every *true Scotchman*, the good of the common cause, and the advancement of our national interest: a point which to a man we have all in view, and to obtain which there are no measures we have ever boggled at, no risk we have ever scrupled to run.

The English (and losers must have leave to speak) may upbraid us, if they will, with our strict regard and attachment to each other, and our thorough contempt of them, and all the rest of the world. We confess the charge, and glory in it: nor shall we be easily persuaded to dissolve or relax that connection, whilst the advantages arising from it are so many and great. To this *national spirit* we have been indebted for many material benefits in former reigns, and to the *same spirit* we in some measure owe our present greatness, and that visible superiority which we have happily gained over *divided, weak, dispirited nobles*.

The EARL of BUTE (with triumph be it spoken) is now at the head of affairs, and there is nothing which we may not, which we ought not to hope for from the favour and patronage of our worthy *Countryman*. The *Union* indeed placed the preferments in *England* within our view, but the partiality of their statesmen, and their utter detestation of *Jacobitism*, a crime regularly charged on us, prevented our obtaining them in such proportion as our consequence to the state, and our *known loyalty* gave us reason to expect. These obstacles are now removed, our principles are no longer enquired into, the management of affairs is placed where every *Scotsman*, both for the glory of the nation and his own interest, would wish to have it; and the time is at length arrived, when the being born in *Scotland* shall be found to be the best and most effectual recommendation to preferment in *England*. In this I speak not only my own private opinion, but the sense of our whole nation.

It is on this occasion become fashionable to ask, what pretence can the *Scots* have, who bear no proportion in wealth and power to the English nation, who by no means bear an equal share of the public expence, who reserve to themselves all their own places, to grasp at all places of the greatest honour and profit in *England*, and to aim at getting every valuable employment into their own hands? Our answer to this is ready. We found our right to sharing every thing in common with the English on the *Union*, and we justify our endeavouring to engross every thing to our own use, on the common principle of prudence, which teaches every man to do as well for himself as he can. Whatever inequality there might have been before the *Union* was compleated, it afterwards entirely ceased, and we were all upon a level. Our national weakness and poverty might perhaps have been well and properly argued to prevent that treaty from taking place; but after the conclusion of it they can never be given as reasons for our not turning it as much as possible to our own advantage. The *Union* indeed was not of our seeking; we opposed it with our whole force, for we considered it as contrary to the *dignity and interest* of our nation. Notwithstanding the specious pretences of which that treaty was grounded, and the seeming equity and impartiality with which it was planned and conducted, we could not persuade ourselves but the weaker nation would, in the common course of things, be swallowed up in the stronger, and our *most antient* kingdom by degrees become a province of *England*. These were our apprehensions, and on these we grounded our opposition. If time has proved our error, if things have taken quite a different turn; if through the great parts of our glorious countryman, and our own supple behaviour, dissimulation, and temporizing, we have turned the *Union* to our own advantage; if we see ourselves arrived at the height of our wishes, and consider *England* as a country intended for our use and refreshment, where we may revel at large, and scorn to ask the lordly owners leave; if this is the case, the English must thank themselves for it. They made the *Union*, and can have no right to complain of the consequences of it; they laid these advantages open to us, and as we have had the address to obtain, I trust we shall have the resolution to preserve them.

If we turn our eyes to the year forty-six, and compare our situation then with what it is now, how happy a reverse shall we find in our affairs! A great part of our nation was at that time in open rebellion against the grandfather of his present Majesty.

Majesty. They threatened no less than the destruction of his *whole family*, and to place on the throne one of the same name and family with our present loyal patron. The principles of those amongst us, whom *fear* or *prudence* kept quiet, were strongly suspected; and the very name of a *Scot* was grown into hatred and contempt. How happy, as well as wonderful, is the change! for now, *without having given any proof of a change of sentiments on our parts*, we find ourselves caressed, respected, and preferred! The Earl of BUTE, JOHN STUART, a name ever dear to us, whose abilities, we think, are no more to be doubted than his affection to us, possesses the first post in the state; another * of our worthy countrymen, remarkable for his impartial and intrepid administration of justice, holds a conspicuous station in the law; and a third †, whose conduct and success in *America* does honour to his country, and endears him even to the English, is to our great joy appointed to a command of the first importance in Portugal. These are circumstances which, although glorious in themselves, yet seem to *promise* something more, and to be the forerunners of that national grandeur to which we have always aspired, though, till this juncture, there was little likelihood of our obtaining it.

In the prosecution of this grand design we must naturally expect to meet with difficulties. The jealousy of the English will undoubtedly take the alarm, and endeavour to prevent our progress. But, alas! how weak and contemptible must that opposition be! *How shall they be able to resist us, when they cannot agree among themselves?* They may indeed vent their fury in words, and satisfy their anger with reproaches; they may tell us of our perpetual enmity to them before the *Union*, and our supercilious contempt of them since; they may charge us with repeated perfidies and rebellions, with hypocrisy and disaffection; but we shall surely know our own interests better than to pay any regard to the frantic passion of losing gamesters. This very storm of words will in time subside; their natural indolence will resume its place; they will not only be contented, but even thankful to us for taking the trouble of state affairs off their hands, and gratefully deem the profits and honours we receive inadequate to the fatigue we undergo.

In our disputes with the English there hath always been one subject, our *poverty*, with which they have so *illiberally* and *falsely* reproached us. If truth and reason can be attended to amidst clamour and prejudice, we might produce numberless instances how improperly we are charged in this respect. I shall only mention two. When Lord DARNLY was married to MARY, Queen of Scots, he applied to the *City of Edinburgh* for a loan, and we can make it appear by unquestionable authority, however incredible it may seem to our English readers, that the *City of Edinburgh* alone agreed to advance, and did actually raise for his use, even at that time, the entire sum of *twenty pounds*: and at this day it is a known truth, that *the kingdom of Scotland alone pays near half as much as the whole county of YORK*. If these instances are not thought sufficient to remove the objection, we will at least promise our good friends the English to remove it at their cost; and we hope in a short time to give them more reason to complain of our being rich, than ever they had to reproach us with our being poor.

One thing there is yet wanting to complete the happiness of our present situation, that the money which our countrymen receive in *England* may be expended in *Scotland*. This indeed is in some measure, but not fully, answered by the strict caution they use to deal with none but *Scots*. The only means I can think of to bring this to bear would be (if that is not flattering ourselves too much) the residence of our most gracious sovereign amongst us, if not entirely, at least by way of refreshment, for the winter months. I know but one objection to this, which is, that the last King but one, who committed himself to our care, we sold, though our countryman, into the hands of his rebel subjects; but in the present humour of the times this objection might not occur, or might be obviated: for the same consideration of interest, which then made us false, would now make us true.

If you think this feasible, and likely to take place soon, I will stay here contented in expectation of so desirable an event; if not, I desire you will procure me a sum sufficient to bring myself and family to town in such a way as may not discredit our cause.

* Lord Mansfield, Chief Justice of England.

† Earl of Loudon.

cause. I shall depend upon you likewise to prepare such accommodations as may be proper, and some little snug place for the present, till a better can be had. As to titles, that is a matter which requires some consideration, they being of late years grown so cheap, that I do not know whether it will be for my credit to accept of any.

I am,

My dear NORTH BRITON,

Your loving Countryman,

Numb. V. Saturday, July 3, 1762.

Dabitur mora parvula, dum res,
Nota urbi et populo, contingat PRINCIPIS aures,
Dedecus ILLE domus sciet ultimus

A day or two of anxious life you gain,
Till loud reports through all the town have pass'd,
And reach'd the prince.

JUVENAL.

TO THE NORTH BRITON.

S I R,

THE fatal consequences which must necessarily arise from a prince's resigning himself to the absolute direction of a *favourite*, were strongly described in the MONITORS of the 22d of May and the 12th of June, and fully illustrated in the Kings of France and Poland, who have lately fallen victims to a confidence misplaced in an enterprising minister by the latter, and in an intriguing mistress by the former. The intent of those papers was undoubtedly patriotic, and, like a mirror, they may serve to exhibit to future princes the unhappy effects of placing implicit trust in any one *favourite*, in contempt of the salutary advice of such faithful subjects, as have in days of difficulty proved themselves friends to their country, and steadily attached to their Royal Family.

Instances of this kind may produce very proper effects in the minds of those who are not so self-sufficient as to believe, that in similar situations their abilities would enable them to convert those very incidents, which have been the ruin of others, into solid foundations, on which they could erect a superstructure of happiness for themselves.

Examples however of *successful virtue* prove generally stronger incentives to glorious actions. It may therefore perhaps be more expedient, instead of painting the miseries which a country must be involved in, if governed by an insolent *favourite*, to shew the peculiar felicity of a prince and people rescued from the tyrannous slavery of a *court minion*, exemplified in the deliverance of this country by the noble and manly conduct of EDWARD the THIRD. The reign of his Father and predecessor, EDWARD the SECOND, is distinguished in history as the reign of *favourites*: to his unbounded affection for them, may be ascribed the various misfortunes that afflicted this country at that time; and by those attachments, the affections of the OLD Nobility were so alienated for him, that he became involved in disputes which terminated with the loss of his crown and life.

The deposing of this prince was not productive of all that happiness, which the nation was taught to expect from it. The people, it is true, saw themselves delivered from the troubles which had disturbed the late reign; but they were not freed from the fears of falling into a more dreaded situation. They knew what the government of a weak and imprudent King could do, but they were unexperienced as to the effects of a minority under the direction of a *Mother*, actuated by strong passions,

passions, and influenced by an insolent minister.----By the laws of the realm it was necessary that a Regency, consisting of twelve of the nobility, should be appointed for the government of the state; but though the form of this was complied with, and the *Earl of Lancaster* a near relation to the King, was nominated President, yet *Mortimer*, afterwards Earl of March, was, through the ascendancy he had obtained over the *Queen Mother*, in fact the sole Regent. At his pleasure the great officers of state were appointed, or removed; he assumed the authority of the King, and solely possessed his ear: the King's uncles, the president of the regency, and the whole of the nobility, were not suffered to approach their sovereign, unless their opinions coincided with *Mortimer's*; and in their intercourse, only permitted in this manner, care was taken to have his Majesty so surrounded by spies, that the minister could not fail to receive information of every measure intended to injure him in the opinion of the King. Thus educated under the guidance of his *Mother*, thus secured by the custody of *Mortimer*, he was easily persuaded to believe that *Mortimer* was a faithful friend, and a consummate minister.

Mortimer, now in the zenith of his power, soon gave proofs of the weakness of his head, and the wickedness of his heart; for *Robert Bruce*, King of *Scotland*, taking advantage of the minority of the King, and the want of stability in his councils, sent a powerful army to invade *England*. *EDWARD* opposed them in person; but the inferiority of the Scottish army was so great, that they declined an engagement, and fled before the arms of *EDWARD*, laying waste the country in their retreat: at length *EDWARD* came up with them at Stanhope-park; but they, during his making the necessary dispositions for an attack, and under the cover of a dark night, silently decamped, and before *EDWARD* was informed of their flight, had got to such a distance, that it was impossible for his army to overtake them. This escape was generally imputed to *Mortimer*, and the consequences of it confirmed the suspicion; for instead of *EDWARD's* pursuing the Scots into their own country at the head of a formidable army, and compelling them to accept of such terms as he might think fit to grant them, a shameful peace was concluded for him by the influence of *Mortimer*; such a peace as, historians say, was profitable to the *Queen Mother* and *Mortimer*, but inconsistent with the honour of the King, and the profit of the realm and people.

"Being therefore so great in authority and possessions, he now drew after him more attendants than the King himself; nay, he was so foolishly blinded by false ambition, that he would expect his lord and master to rise first to him, and, if offered, would permit it. Nor would he in the least scruple to walk fast by the King as his fellow, nay, sometimes walk on in state before him as his lord, looking back, and more than familiarly laughing upon his sovereign." This is *Joshua Barnes's Account*. History of Edward the Third, printed at Cambridge, 1688, folio. Dedicated to King James the Second; licensed by authority, p. 46.

When we survey *Mortimer*, thus established in the plenitude of power, filling all the offices of state with his creatures, banishing the relations and friends of the young King from court, and suffering none to approach him, but such as were continually employed in trumpeting the praise of *Mortimer* and the uprightness of his administration, it would have been impossible for us to account for the sudden revolution that followed, had not the historians left us a clue to lead us through this labyrinth; for they scruple not to affirm, that as *Mortimer* was indebted for the enormity of his power to a criminal correspondence with the *Queen Mother*, so to honest insinuations of this given to the King must be ascribed his amazing downfall. And although *Barnes* seems to discredit the report, by saying, "Surely whoever considers the inequality of the *Queen's* age with that of *Mortimer's*, she being little more than thirty, and he at least more than fifty, will rather believe, that by his subtle and crafty insinuations he made himself necessary to the *Queen's* councils, than that his person could ever render him acceptable to her bed; she herself being accounted one of the most delicate ladies of that age: whereas he was not only a married man, but a father of eleven children."

Barnes's History, p. 54.—Yet *Rapin* makes no doubt of the truth of this assertion, and says, "The article of his impeachment concerning his commerce with the *Queen* is a clear evidence how much the whole kingdom was offended at their familiarity."

“ familiarity. If it had not been notorious, there is no likelihood that the parliament would have wounded that princess’s honour so deeply, which could not but reflect on the king her son. They who have endeavoured to vindicate her, by the little probability that a princess of so high a rank should so far forget herself, did not consider, that a few years before the three daughters-in-law of *Philip the Fair* were as regardless of their reputations, by the confessions of all the historians.” Rapin’s History, translated by Tindal, 8vo. 3d vol. p. 241. Printed at London.

Leaving this fact however unascertained by the historians, it is clear that at length some insinuations were thrown out before the king, concerning the immensity of *Mortimer’s* power and mal-administration: these engaged EDWARD to examine into affairs, and he was made to observe, that the Earl of March affected to outshine his sovereign by a magnificence too splendid for any subject; that he disposed of all the great offices of the kingdom to his creatures; that he was absolute master of the fate of the *English*, advancing or displacing them in proportion as they were calculated to serve the base purposes of his own interest, without regard to that of his country; that the shameful peace concluded with the Scots was of his making; that by his private orders, Edward the Second was murdered; that by his secret practices the Earl of Kent, the king’s uncle, lost his life; that it appeared very probable that the queen and her minister had formed the design of securing in their hands the royal authority, by keeping him always a minor; and lastly, that his influence over the queen arose from a correspondence with her dishonourable to his Majesty, as it was affirmed she had lately been impregnate by him.----This is Barnes’s account, p. 47.

These informations coinciding with the suspicions of EDWARD, he, with a resolution and judgment unequalled in history, in person seized *Mortimer* in the presence of the *Queen Mother*, and sent him to the Tower; then called a Parliament, told them, “ That though not yet arrived at the age prescribed by law, yet, with the consent of his subjects, he designed for the future holding the reins of government in his own hands.” To this the Parliament cheerfully assented, the members being equally ready to second his designs; and as a proof of it, *Mortimer* was condemned to be executed at Tyburn; which was done without shewing him any favour.---These are the plain facts, as related by the best English historians.

Thus did EDWARD wipe off the blemishes which had sullied his minority; thus, taking the reins of government into his own hands, did he give a happy presage of the glory and prosperity of his future reign, the brightest perhaps in the annals of England. O may Britain never see such a day again! when power acquired by profligacy may lord it over this realm; when the feeble pretensions of a court minion may require the prostitution of royalty for their support; or if, which heaven avert! such a day should come, may a Prince truly jealous of the honour of his House, and armed with the intrepidity of EDWARD THE THIRD, crush the aspiring wretch who mounts to power by such ignoble means.

I am, SIR,

Your humble Servant.

Numb. VI. Saturday, July 10, 1762.

Utinam Respublica stetisset, quo erat, statu, nec in homines non tam COMMUTANDARUM, quam EVERTENDARUM cupidos incidisset.

I could wish the commonwealth to have been in its former situation, rather than to have fallen among men not so much desirous of its change as its total destruction.

CICERO.

I NOW sit down to endeavour not only to quiet the minds of my countrymen under their present fear of impending evils, but to give them the best grounded hopes of the halcyon days which are to succeed, and to crown all our fondest wishes, from this auspicious

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auspicious æra *incipient magni procedere menses*. No month nor scarcely day, but shall be marked with white, and graced with some acts of bounty and favour to my countrymen, either openly here, or secretly in the *English* colonies, and in the late numerous conquests. I think indeed, that the more glaring marks of honour, profit, or confidence, should, in good policy, be at present withheld from us, or very sparingly given, for they are too invidious; but it is surely right to proceed in dealing out to us, and to us alone, all those essential benefits and *good things*, which are so various in all parts, and are held almost unknown, and consequently unenvied.

I find that it is absolutely necessary more fully to explain myself, because many of my friends are exceedingly alarmed from the fear of our standing alone in the present political fray, and are continually lamenting, that almost all those who were esteemed good, great, or amiable among the *English*, have either refused to serve under our *Chief* or have given open proofs of their dissatisfaction with a *Scottish* administration, and of their resolution soon to leave us *North Britons* to ourselves. The great danger many apprehend from this does not strike me. I rather think such an event would be advantageous to us. We should then attain the completion of all our views, the entire possession of the revenues of this whole country, and should be saved the trouble of making a general sweep of our rivals, the *English*, which our friends strenuously advise us to do. This advice is far from being new, or unprecedented. The *Tories* at the latter end of Queen Anne's reign were believed to have failed from this very omission, i. e. not removing all of the *Whig* leaven from the employments they possessed. Our services would even then be inadequately rewarded, if it is considered how long we have been kept under by *English* and *Whiggish* administrations, which have ever declared they never could trust us.

We have besides a superior claim of merit to the *English*. Our countryman the *BRITON* has enumerated the many conquests the *Scots* have made, and the many victories they have gained, at *Capa Breton*, *Ticonderoga*, *Fort Due Quesne*, and *Quebec*, in *Guadalupe*, and *Martinique*, before the walls of *Pondicherry*, and in the plains of *Westphalia*, &c. &c. with little assistance from the *English*. I believe he has omitted but two of our late glories, the victories of *Preston-Pans* and *Falkirk*, gained, I own, without the least assistance from the *English*: who, undoubtedly from a principle of envy, cannot bear the mention of either, but are for ever rejoicing over *Culloden*, as a victory of truer national importance than even *Hockstet*. How many insolent songs of triumph have they made for that single victory of *Culloden*! With what noble strains of rapture has that whole nation celebrated their second great deliverer, as they call him, the *Duke of Cumberland*! But surely our bards have at least equalled theirs, though in a different strain. How pathetic have been our lamentations! How has our admired elegy of *Mourn, hapless Caledonia!* mourn, echoed from hill to hill! With what tearful eyes is it still sung by every true *Scot*! In what moving strains did our bards celebrate their dear country's sons lying slaughtered on the ground, on that fatal day! fatal I mean to such numbers of my friends and countrymen.

Besides this general claim of merit, we desire to put in another, the strongest possible, arising from the merit of our great patron. What amazing proofs has he given the world of the most consummate abilities, and the truest wisdom! I do not mean that sinister and crooked wisdom, called *cunning*, which alone, our enemies say, we possess to any great degree; but I speak of that great and comprehensive knowledge, which takes in the general plan of the whole, and yet is able to adapt itself to all the parts. Has he not a great, and indeed, national system? None but *Englishmen* can suppose he has not, and they must injuriously and enviously pretend, that he has been found to fluctuate daily from a total want of all precision of ideas, and knowledge of the connection of things.

Let us however examine the fact, and then we shall see if our fears of being left to ourselves are well grounded or not. The *Duke of Newcastle*, it is said (whose signal services to the house of *Hanover* are almost sufficient to outweigh all the demerits and traitorous attempts of the many noble families, whose letters to the *PRETENDER* makes almost the whole volume of *Colonel Hoake's negotiations*) has quitted the service of that illustrious family. We are all now crowding to support

Mr.

Mr. PITT, whose administration heaven blessed with such distinguished success, has likewise retired. Mr. LEGGE, who is so confessedly superior, I believe unrivalled, in the important knowledge of the finances of this kingdom, and of its late powerful rival, is at present only a most amiable private gentleman, happy in his family, and in the circle of his select friends, who now enjoy, free from interruption, an inexhaustible fund of refined sense and classical wit. There are likewise some others, in whom the nation has the justest confidence, who are preparing to take their flight from us.

But can it be said, that all the *English* ministers either have, or intend to leave us? Is not the virtuous Mr. Fox, the darling of the people, still very high in office, and in one of the most lucrative employments the government has to bestow? Does he not privately assist our *Chief* with the most *salutary* counsels? Has he not proposed the most *healing* measures? We know that he is ready publicly to stand forth our champion, and that he has most explicitly offered us some time ago *to speak, or not to speak*, in the senate. Can *this* part of that great man's conduct be deemed equivocal? It has indeed hitherto been thought adviseable for him to remain silent, and for some few years his lips have been locked in adamant silence, *from a full conviction of the rectitude of the public measures*. His regard to us however we have the strongest reason to believe, and we are secure (unless indeed a new change happens) of his effectual support of us, against all his own countrymen, with his amazing powers of eloquence. What then may we not expect from the violence and impetuosity of such a torrent, which, like a stream from our Highlands, after having stopt for some years, on a sudden bursts forth again—but I hope not to ruin the country. I am sure this gentleman will never concur in, much less advise, any measures but such as shall appear *soothing and conciliating*. His tenderness for the Constitution, and his affection for the House of Commons in particular, have been fully experienced; nor will he ever *desire to have the whip in his hands, to lash into obedience the refractory members* *. The people of England too will be made happy with the idea of power being lodged in his hands; and we *North Britons* shall see with joy and gratitude his unwearied endeavours to perfect the noble plan of liberty delivered down to us from our Scottish ancestors. The happiest consequences will in every way be derived to the Public; and I hope soon to hear of the recovery of *Minorca*, which, as I remember, was most ignominiously, though I believe not treacherously, lost, when he was Secretary of State.

There is likewise another gentleman, whom by the most amiable arts, which would do us honour, were they known to the world, we have entirely secured, and detached from his friends (and di boni! what friends?) and family, to whom he has such infinite obligations: but *omnes omnium caritates patria nostra una complexa est*. This is not in itself a wonderful acquisition; but I consider it as the first-fruits of our labours among the great families of the English nobility; and I hope soon to see among them many other glorious effects (both in public and private) of our fixed maxim, *divide et impera*. This gentleman has already spurned at all obligations, and has broke through whatever would have engaged every other man, for he has sacrificed every social and friendly tie to cement the union with us. His intense zeal (a symptom frequent among apostates and renegades) has been demonstrated on many late occasions; and in a great assembly, if he has failed to persuade, he has never failed to weary out the adversary, and to sink him into a deadly lassitude, perhaps a lethargy. How most fervently have all parties concurred in wishing him in a certain chair! We have the more obligations to this gentleman for taking the *Seals*, because he is not the child of *ambition*, nor is his great soul tainted with sordid *avarice* †: that is only the vice of reptile and groveling minds. Though he has left the naval department, he has not, I trust, left behind him all attention to that most important business. I hope he will think of some other regulations to prevent the late almost incredible desertion of seamen from the royal navy, which his new regulations (so applauded by Boscawen and our other great sea officers, and so grateful

* This expression, and the former, *to speak, or not to speak*, were the particular phrases used by Mr. Fox, in a private treaty, or rather bargain, for ministerial power.

† It is reported, that in a great assembly, he said, *I am not the child of ambition, nor of avarice, &c.*

grateful to all our commanders) were intended to prevent. When the public is favoured with the next pleasing print of this gentleman, I hope the artist will have reason to adorn the other hand with *An act to prevent desertion from the royal navy*, which, till it is accomplished, I shall believe the other boasted *Act for the encouragement of the seamen*, &c. is of as much use in the print as any where else.

These are the two illustrious personages, on the part of *England*, who support our *Scottish Chief*. How nobly conspicuous in both is the amiable frankness and openness of heart of the *English* nation! I only name these two, for the fidelity of others to us is dubious and suspected. Some have already begun to calumniate our patron, and even talk of retaliating our own arts on us.

I will only add, how greatly must this island, and above all our *dear country*, now figure to the whole continent! The most real union among all the parts of government, and the whole body of the *English* nation, no less joined with us in *hearts* than in *interests*, rising up, like one man, to support the new *Scottish* pillar of the state! What satisfaction has the *Czar* expressed in our *firm* and *united* councils! What unbounded confidence has the *King of Prussia* in this new *North British* administration! and with what unfeigned rapture will *France* receive the news, that there is no longer a first minister in this island from their *ancient enemy* *England*; but from their firm and unshaken ally, *SCOTLAND*!

Numb. VII. Saturday, July 17, 1762.

Quod optanti divum promittere nemo
Auderet, volvenda dies en attulit ultro.

Revolving time has that wrought out for you,
For which you might have pray'd eternally in vain.

TO THE NORTH BRITON.

My dear Countryman,

SUFFER me to intermingle tears of joy with you on our present happy situation; and to heighten your satisfaction, give me leave to exhibit to you a glimpse of futurity. The *English* (Mr. *Horace Walpole* only excepted) pretend to an equal *partition of good sense* with us; but there is one most noble intellectual gift they have never pretended to share with us. We have monopolized it from them and from all the world unenvied. It is a particular mark of the favour of heaven, as all our divines say, to the chosen *Scots*. I mean the gift of *second sight*, which, though laughed at by every sensible man of every other nation, we all believe to be really possessed in an eminent degree by many of our countrymen, and to be found among us in the highest perfection, where there are no traces of common sense, nor the first principles of any science. By this happy gift I have approximated many objects in the *camera obscura* of futurity, and I trust you with the most pleasing view. Whether you will choose to make the whole discovery, or any part of it, public, I shall submit to your discretion, concluding, with repeated congratulations,

Your's,

B. MAC STUART.

THE

T H E
FUTURE CHRONICLE:
OR, THE
NOVA SCOTIA INTELLIGENCER.

YESTERDAY morning the two new-raised regiments of Highland guards were reviewed in Hyde Park by his grace the duke of *Inverness*, who was pleased to say, "They kenn'd their business right weel, and went through their exercise very connily."

We hear that the Earl of *Loudon* will have the command of the forces destined against *Louisburg*. His Lordship is descended from the great Earl of *Loudon*, who, by gallant achievements in that quarter of the globe, acquired the surname of *Americanus*.---It is said that his lordship will certainly appoint Capt. *Abercrombie* one of his aids du camp.

Last night the Marquis of *Kirkcubright* arrived at *Holyrood*, late *Buckingham* house, from his government of *Ireland*, where his prudent and frugal administration has gained him the hearts of all ranks of people. His excellency was attended to the water-side by the lord mayor and aldermen of *Dublin*, with pipers before them, playing the tune of Highland laddy, in compliment to his excellency, with which (if we may judge from the various contortions of his features and writhings of his shoulders) his excellency was highly delighted.

Several disorderly persons were yesterday taken into custody, being charged with drinking the glorious memory of King *William*, confusion to the *Stuarts*, and divers other treasonable toasts.

The managers of both theatres have received orders to lay aside the custom of representing the tragedy of *Tamerlane* on King *William's* birth-day, and instead thereof to entertain the public on that occasion with *Home's Douglas* and the *Gentle Shepherd*.

Great rejoicings have been made by all loyal subjects on hearing that the heirs of the illustrious houses of *Kilmarnock* and *Balmerino* were restored to the honours of their ancestors.

Lord *Lovat*, being appointed lord high commissioner, is preparing to set out for *Edinburgh*, to preside at the general assembly of the kirk of *Scotland*.

Yesterday the Duke of *Inverary*, Lord High Admiral of *England*, gave a grand entertainment at *Portsmouth*, on occasion of putting into commission the two men of war of eighty guns each. They were named the *Falkirk* and *Preston Pans*. The *Cumberland* and *Culloden* were ordered to be laid up.

Strict orders are issued forth to prohibit the use of calves or cods heads from the 29th to the 31st of *January*, both inclusive.

At the last sessions held at the Old Bailey, *John Hampden* and *William Orange* were tried and convicted on the Whig act before Lord Chief Justice *Womansmeadow*, who, after a very learned and elegant oration in favour of the liberties of the press and people, sentenced both the delinquents to the punishment due to their demerits.

Last night, to the unspeakable loss of the public, died the most high, most puissant, and most noble Prince, John Duke of *Peebles*, knight of the most noble order of the garter, &c. &c. &c. &c. His grace had for many years presided at the board of treasury with equal ability and integrity. He was so severe in collecting the public revenue, that the window tax of the *Isle of Bute*, in one year, produced the clear sum of thirteen shillings and six-pence. To him we are indebted for the improvement of our knowledge, the refinement of our taste, and the elegance of our manners. Such was his grace's early affection for this country, that even

in the infancy of his administration he prevailed on numbers of his accomplished countrymen to leave their native land, and dedicate their talents to the emolument of England: many of them he even persuaded to accept of places at court, by which means the language became polished to the highest degree of *Caledonian* purity. To enumerate his grace's virtues would require the pen of a Macpherson, or a Lauder; however we have the pleasure to assure the public, that a beautiful elegy on the melancholy occasion is promised, as soon as the paroxysm of grief shall have subsided, by the ingenious gentleman who chuses to distinguish himself by the title of the BRITON.

Some time since died Mr. John Bull, a very worthy, plain, honest old gentleman, of Saxon descent. He was choaked by inadvertently swallowing a *thistle*, which he had placed by the way of ornament on the top of his salad. For many years before he had enjoyed a remarkable good state of health.

Worthy Englishmen!

Heaven and earth call upon you with one voice to reinstate me in your favour. While you placed your confidence in me, I was the defender of your liberties, and am desirous of discharging that glorious duty to the end of time. To my auspicious schemes you owe the illustrious house of Hanover, equally famed for mildness and valour; to my resolution and conduct you owe the expulsion of a family equally infamous for tyranny and cowardice. Vindicate your honour ere it be too late, and beware of cherishing vipers in your bosoms.

WHIG REVOLUTION,

Born anno 1688, confirmed 1715,
married April 16, 1746.

This Day is published, a new Edition,
Adorned with an elegant Head of that glorious Monarch,
The Works of King JAMES the FIRST,
Of learned, pious, and peaceful Memory.

To which is now added, His Art of *Hocus Pocus*.
From an original MSS. lately dug out of the Ruins of Sterling Castle.
Semper honos nomenque tuum laudesque manebunt. VIRG.
Printed for A. Macdonald, at the Dunciad, in Scotland-Yard.

Proposals for printing by Subscription,
BOWER TRIUMPHANT:
O R,
SCOTTISH INNOCENCE VINDICATED.
AN ESSAY, by WILLIAM LAUDER.

Nequicquam patrias tentasti lubricus artes. VIRG.
With a PREFACE by Lord LITTLEWIT,
And a full Length of his Lordship; done from an original Caricatura of Nature.
Printed at Glasgow, and sold by all the Scots Bookfellers.

To-morrow will be published,
O THE ROAST BEEF!
O R,
THE CASE IS ALTERED.
A PROSE POEM, in the modern Taste.
By LAZARUS MAC BAREBONES, of *Scotstarvit*, Esq;

Peace and Plenty tell a Stuart reigns.

POPE.

Dr. TICKLE-

Dr. TICKLEWRIST thinks it is more his duty than his interest to acquaint the public, that his Titallatory Elixir is a sovereign remedy for the present epidemical distemper. It is safe, cheap, and pleasant in its operation, and never fails to give immediate ease in the most violent paroxysms. Nay, the Doctor may with truth affirm, that most of his patients have found the medicine so extremely agreeable, that they wish for a continuance of the disorder merely to have the pleasure of using it; for to persons unafflicted it is totally insipid. The Doctor may be spoken with at the Crown and Thistle in Little Britain. He also teaches, on very moderate terms, to play on the fiddle.

Mr. MAC PHERSON's fifteenth Course of Lectures on Oratory began yesternight, and will be continued *timeously* every evening, the Sabbath only excepted. Select passages out of *Allan Ramsey* and other celebrated writers, will be read for the better illustration of the precepts. At the conclusion of the course, Mr. Mac Pherson purposes a general exercitation of all his pupils, as formerly; but as many of them have on foregoing occasions, through want of a proper command of voice, run into discordant notes, to the great annoyance of the delicate ears of the North British nobility, who have attended to mark the progress of the young gentlemen, it is expected that for the future they will submit to have their voices properly pitched by the drone of a bag-pipe. The Professor, if desired, wears gloves.

LONDON: Printed for BLUESTRING MAC STUART, at the Star and Garter, in the Minories.

Numb. VIII. Saturday, July 24, 1762.

PLACUISSE MOCET.

To obtain favour, he does mischief.

WHEN we consider how fashionable the word *favourite* is grown, how common in every mouth, what a remarkable stress is laid upon it, and with what marks of discontent it is generally accompanied, we are naturally induced to think that there is at present some one person, signified under the name of *favourite*, who is raised to an extraordinary degree of power and credit, without any title to that preference from superior integrity and abilities, and from whose influence the rights and liberties of the people seem to be in danger. This idle notion is greatly strengthened by the weekly retailers of politics. The MONITOR talks of Count BRUHL, and the BRITON, with his usual honesty and penetration, seems willing to acquire a property in that paper, by bringing it home to the present times, and drawing such comparisons as no man of sense could, and no true BRITON ought to draw. The AUDITOR, with that caution which always implies a consciousness of guilt, deals out his laboured notions of *favouritism*, wantonly asperges the most amiable characters, and exalts the most despicable, but with such peculiar symptoms, with such strong marks of falshood, and such plain fear of detection, that his praises and his censures equally speak a heart arguing against his own conviction. The NORTH BRITON, following the example of his brethren, gave the public an account from history, and chiefly in the words of history, of ROGER MORTIMER, who in the reign of EDWARD the Third was the notorious favourite and supposed minion of the Queen Mother; and the BRITON, in his excellent observations on that paper, calls it, with a clearness of expression peculiar to himself, AN ATALANTIS. If I do not understand that word properly, I should be glad that my worthy friend the BRITON would set me right; but if I do understand it properly, I should be much obliged to him if he will shew me with what propriety it is applied to that paper.

It

It is something strange how this subject of *favourites* could at this time insinuate itself into common conversation, and demand the consideration of the public. I will venture to say, and undertake to prove, that since the glorious, successful, and upright administration under which MINORCA fell into the hands of the FRENCH, there hath not appeared in a public capacity any one man on whom the name of *favourite*, in the odious acceptation of the word, can possibly be fixed. Had we seen a man, during that time, raised to the highest honours and most important place, without any merit to justify his *glorification*, without any one recommendation but the blind affection of his Sovereign; had we found him solely attached to his own interests, taking advantage of the confidence reposed in him by his master, in order to abuse that sacred trust, tampering with his pliant disposition, making himself necessary to his foibles and passions, separating the interests of king and subject, advising such measures as must naturally estrange the affections of his people, and drawing him into trifling amusements, merely to take off his attention from things of consequence, so that the management and disposition of places might remain entirely in himself and his creatures, *such a man* would be the first who ought to be branded with the name of *favourite*; a name always attended with odium, and oftentimes with danger. The NORTH BRITON ought publicly to stand forth against such a man, and endeavour to point against him the resentment of a people equally jealous of the honour of their Sovereign and their own. On the contrary, when we see men, actuated with a real regard for their country, acting on the best of principles, uniting, what indeed ought never to be separated, the good of the prince and the people, and pursuing the most noble ends by those means which seem most likely to produce them; when we see such men honoured with the confidence of their Sovereign, possessed of the first offices of state, holding the reins of government, and *guiding* our most important affairs, we congratulate ourselves on having such ministers, we detest those incendiaries who would represent them to us in the disagreeable light of *favourites*, and are happy in acknowledging, that the esteem which a Sovereign entertains for such ministers is real judgment, and the rewards he bestows on them is justice, and not favour. Cheap as we hold the ENGLISH in politics, we cannot suppose them so far gone in absurdity, as to brand any man with a name which hath ever carried along with it an idea of detestation, merely because he stands high in the esteem of his prince. We must in justice suppose that they consider him as unworthy of that esteem, as a disgrace to the person who countenances, and a load to the country who suffers him, and that their resentments are founded, and the name of *favourite* affixed to him, on these considerations. If this be the real case, (and no Englishman for his own credit will venture to contradict it) I shall then shew the impropriety of the present bustle about *favourites*, by instancing particularly in the three great men on whom prejudice, envy, or interest have fixed this name, and proving that, as a term of reproach, it cannot be applicable to either of them.

The DUKE OF NEWCASTLE, whose integrity was never yet called in question, whose heart was justified even by his enemies under a long and sometimes unsuccessful administration, can never be charged with this odious appellation. His services to the present royal family ran before his reward, and his strict attachment to his Sovereign, his known and steady loyalty, his uniform and unshaken zeal, justly entitled him to those marks of preference which he afterwards received, and which can never be deemed the wanton vouchsafements of royal favour, but must be regarded, by every impartial considerer, as the just reward of his deserts, as the noble retributions of a grateful and generous prince to a subject truly affectionate and disinterested; disinterested in so eminent a degree, that to his enemies it is matter of triumph, though to his friends it shall never be the cause of shame. As his services before he had any share in the administration of affairs gave him a just claim to the places which he afterwards held, so his behaviour, whilst he continued in them, entitled him to that honourable retirement in which he is now indulged.

Mr. PITT stands yet less liable to the charge of being a *favourite*; merit alone brought him into the ministry; merit alone kept him there, till, happily for us, he had the superior merit of our countryman to combat with, which was not to be withstood.

withstood. If we consider rightly, it is impossible that Mr. PITT should ever have been a favourite, though his abilities were of such a nature as to make his assistance necessary. He came in upon an opposition; he had formed himself on a plan directly contrary to the humour of our late Sovereign; he was determined to come into no ministerial jobs; he spoke his mind freely on every occasion: when convinced, he was always ready to change his opinion and alter his measures, but had the impudence to expect conviction before he did it; he never was afraid to bring the voice of the people to the ear of his Sovereign; he was of such unshaken secrecy, that during the whole course of his ministry he gave no opportunity to the most willing of discovering our designs to the enemy: he was of such unpardonable attention to business, that the most minute occurrences in his department passed not without examination; he was such a bigot to the interests of the public, that no private connections whatever could induce him to prefer an undeserving person; he was of such unbounded ambition, that he raised the honour of the English name to a much greater height than any of his predecessors; he was so extravagantly opposite to the measures usually adopted on such occasions, that he was foolishly resolved not to give up in treaty what we had gained in war; he was so immoderate in his demands, that our enemies saw through them with a just indignation, and were convinced he would make *a good peace, or none at all*; he was so jealous of his ministerial reputation, and so envious of those who should succeed him, that in order to prevent their doing of any thing, he left little or nothing for them to do. With these bars against him, and nothing but some small share of success to back his own merit, it would be needless to observe, that he certainly never could justly be suspected of being a *favourite*.

As to the third person, his services are of such a nature, that—but lest I should be suspected of partiality I shall drop this point, and in compliance with the humour of the times, however contrary to my own, give some account of WILLIAM DE LA POLE, *Earl of Suffolk*, and, for a time, *favourite* of Queen MARGARET and HENRY the Sixth.

That prince, now nineteen years old, had a very mean genius, and but little like his father's. He easily suffered himself to be governed by those about him. Instead of having the presumption common to young princes, he was distrustful of himself, and chose rather to follow the counsels of others than his own. With this weakness he had principles of honour, virtue, and religion, which indeed made him wish he could always act justly, but often served for a foundation and pretence to his counsellors to draw him into many acts of injustice. As he wanted penetration, he was deceived with appearances. Of this his ministers knew how to take advantage, for they were convinced of his incapacity to discern their self-interested counsels.

Such being the disposition of the prince, it is natural to suppose that every intriguing statesman would endeavour to avail himself of it. Amongst these the Earl of Suffolk was not the least active; and in order to establish his authority on the most lasting grounds, he hit upon a scheme which for a time answered his purpose, *though in the end it proved his ruin*. He knew HENRY was himself incapable of governing, and consequently his ministers must necessarily be liable to envy, and bear the blame of whatever was not agreeable to the people. In this belief, he fancied that the best way to support himself was to give the king a *wife*, and a wife of such a kind, who having no ground naturally to aspire to such a marriage, and being intirely indebted for it to the managers, might be always ready to support her benefactors. Such a person he found in *Margaret*, daughter of a beggarly duke and titular king. Under her protection he for a time lorded it in the court, disposed of every thing at pleasure, maintained greater state, and was more observed than the king himself. The queen-mother, more mindful of her passions than dignity, and forgetful she had been the wife of the greatest prince in Europe, had lost her authority by matching herself to a private gentleman; and the old nobles, disgusted with the power of Suffolk, had either left the court, or waited in silence for an opportunity to shew their hatred with effect against the reigning favourite. This occasion at last offered; and however dear Suffolk was to the king, however dear he was on several accounts to the queen, however determined they might seem, and had often declared themselves, to

maintain him at all events, let the consequences be what they would, they were at last obliged to give him up to the resentment of an exasperated people, and found by experience how weak such resolutions are, when they are opposed by the people with equal resolution.

Numb. IX. Saturday, July 31, 1762.

Destroy his fib, or sophistry, in vain,
The creature's at his dirty work again.

POPE.

I HAVE a considerable arrear to settle with the BRITON. My first view was to administer *a weekly antidote to the weekly poison of this writer*; but I found him so low in the opinion of the public, that little was to be feared even from the most daring falsehoods of such a man. He seems impregnable to the force of argument. I shall therefore try what impression facts may be capable of making on him. Stupidity may not apprehend, or sophistry may sometimes seem to elude the strongest reasonings; but the evidence of facts is irresistible.

The plan of attacking the French in America, he asserts, was ADOPTED as a national maxim self-evident, before Mr. PITT, or any one of his emissaries was born. How comes it then that this plan was entirely overlooked by the ministry here during the course of the late war, and at the commencement of the present was pursued with a faintness almost equal to a total disregard, till Mr. PITT was in power and gave it a life and vigour? Why has Mr. PITT, for his attention to the America system, been so often ridiculed as *America-mad*? To retort an expression of his own. *What a genius is this at cross-purposes!*

The BRITON is not satisfied with this, but in the fulness of his folly, thinks to glorify his idol by ascribing to him the honour resulting from the conquest of *Martinique*. This (to adopt another of his phrases) is *begging*, or rather stealing, honour for his patron with a witness. In proof of my assertion, I need only observe, that his majesty's ship the *Alcide*, with the transports designed to take on board the troops in America, under the command of General MONKTON, sailed from Portsmouth on the 4th of August, and arrived at New-York on the 15th of October, 1761; and that Admiral RODNEY, who was to co-operate with General MONKTON in the enterprize against *Martinique*, set sail from St. Helen's on the 18th of October, only twelve days after Mr. PITT's resignation, and but eight days after the appointment of his successor in office. Hence it irrefragably appears, that not only the honour of inventing the plan, but of proportioning the means to the desired success, of equipping the armament with vigour and expedition, and of sending it out at a proper season under the conduct of officers of approved abilities, is entirely due to Mr. PITT; and that all which can be fairly ascribed to the new managers is the meer secondary merit of not countermanding an expedition of the highest national importance. Will the BRITON dare to deny these facts? If he cannot, but is forced to admit them, then he stands at the bar of the public convicted of the most shameful falsehood. Blush, BRITON, blush, but let your patrons too share the infamy of prompting and abetting to the world such known prostitution of truth and justice. Perhaps on this occasion it might be too much to assert, that all the honour the new ministry are likely to acquire, will be greater or less, in proportion as they shall either pursue or depart from the written reasons of the 18th of September.

How inconsistent is this weak BRITON! To what mean shifts and gross contradictions has he been driven! In his fifth number he claims for the present ministry the greatest honour from the conquest of *Martinique*; and in the sixth he says, among the other evil consequences of the war, *I might reckon our extraordinary success*. I believe this is the first time that extraordinary success has been reckoned among the evil consequences

quences of a war. By a parity of reason, I suppose he reckons the infamous loss of *Newfoundland*, and the late disgrace on the coast of *France*, among the good consequences of our affairs being trusted in such hands. What a total subversion of all just ideas must there be in this writer's head! These are absurdities reserved for the goose-quills of the modern ministerial hirelings: this is the ridiculous cant which the poorest of all the weekly writers is taught by his patrons. If success however be indeed so evil a consequence, the want of it is surely to be esteemed a good one; and if we are to lament our successes, because they are evil consequences, we must rejoice over our losses, as good consequences. I suppose, therefore, he and his friends must be pleased with what has given every true Briton the deepest concern, the loss of *Newfoundland*, whose infinite importance every merchant, every seaman, almost every Englishman, knows.—Our conquests, he says, were obstacles to a peace; so particularly was the affair of *Newfoundland*: and the late negotiation with the court of *France*, as well as the disputes with the court of *Spain* on this great point, during the six years negotiation, are well remembered. I hope there has been no collusion! *Spain* only demanded a part: *France* has now seized the whole. But why were no ships stationed to protect an object of such national importance? Is all our intelligence of the motions of the French at an end? Are their fleets no longer watched? Where is that great and good genius to *England* that superintended the British state; and while he gave security to our old possessions, made such noble additions to our empire? I hope that *Newfoundland* too is not considered as an obstacle, as well as our conquests, which must be removed to smooth the way to a peace: if it is, I know what kind of peace we are to expect. God forbid that the *uti possidetis* should now ever be mentioned as the terms of peace, while *Newfoundland* is in the hands of our enemies. Surely the loss of the whole was not connived at, that the part which has been claimed may with more decency be given up hereafter. It is clear to a demonstration there has been no attention given to an object which demanded the utmost a ministry could give. Ought such an administration to be trusted by either prince or people? The noblest fleet *England* ever had is found, in the hands of a weak ministry, insufficient for the protection of our most important settlements. How is all security gone from us! How do our enemies, who so lately desponded, now exult from such successes; almost immediate on our change of councils! How are their spirits revived! Let us examine the ideas of the late ministry on this head. In an extract of the only letter of Mr. Pitt's which the public was trusted with, among the *Papers relative to the rupture with Spain*, published by authority, are the following words, which I wish were wrote in letters of gold under Lord Bute's picture in the royal apartment at St. James's: *You will again on this occasion let Mr. Wall clearly understand that this is a matter held sacred, and that no concession on the part of his majesty, so destructive to this true and capital interest of Great Britain, will be yielded to Spain, however abetted and supported.* And it was in relation to this great object Mr. Pitt made use of that remarkable expression to the proud Spaniard, that he would not relax anything till the *Tower of London* was taken sword in hand. Mr. Pitt would neither suffer it to be yielded to *Spain*, nor taken by *France*. Is this the vigour and success of the new North British administration? These are the bitter first-fruits from the North. What is to follow? Will the question be now asked, *What have the new ministry, or rather what has the new minister done?* He has already lost *Newfoundland*, and is inexcusable in that loss; for every thing asked from parliament to strengthen his hands was granted with cheerfulness and unanimity. Now indeed is he well paired with his colleagues, the few wretched English who have joined him. These lost us *Minorca*, the Scot lost *Newfoundland*. What dreadful events are to succeed! Is the British empire to moulder away? But I hope a most gracious prince, in compliance with the wishes of a whole people, will, before it is too late, deprive a set of men (unfavoured by heaven and despised on earth) of the power they have thus infamously abused.

The BRITON proceeds in his usual absurd way. In one page he tells us of the injudicious manner in which the war has been carried on; and in the next he says, *Our motive for engaging in this war was to defend and secure our colonies in North America. This end is fully, at least in a great measure, accomplished by the entire conquest of Canada, Acadia, and Cape Breton.* Who made those conquests? Has the war then been carried

carried on in so injudicious a manner, when the end is so fully, at least in a great measure, accomplished? Again he says, *This is the more dangerous, as it is unlimited: one conquest will suggest another, and we shall dance after this ignis fatuus of glory until we are weakened, exhausted, and unable to proceed.* Are not the new ministry proceeding? Are they not, at this hour, attempting to add another conquest to all the former? Does not every friend to his country burn with impatience for the glorious news of the blow we all hope is already struck to the heart of Spain? If we have already conquered too much, as he says, why go on in the same mistaken course? Why add more obstacles to a peace? For such he calls our conquests. But will even he say the taking of the *Havannah* will be an obstacle to a peace with Spain? How would a sensible foreigner despise the wretched cant of these advocates of the present minister?

Such is the letter of the *Briton* to the Earl of Bute: a letter, fit to be addressed only to, and to be read only by, his lordship. One remarkable particular I had forgot; the *Briton* gives himself out as a martyr to the *good* (he will not now say *glorious*) cause: but he expects his full reward here. He begins his letter, *As I have suffered in your cause* (I wish to know how, except in reputation) *I think myself in measure intitled to*—and these first words of the letter are well explained by the last---the *darling hope and ESTABLISHED expectation of the Briton*, which are plainly a pension, and an *establishment* on this side the *Tweed*.

One word I must remark on the stile of this writer. In his last number but one, speaking of the late rebellion, he says, *the insurgents—had defeated a body of regular forces.* How tenderly a true Scotsman speaks of rebellion! Is he afraid of wounding a father, uncle, or brother? An Englishman would have wrote, *the rebels had defeated a body of king's forces*: but *rebels* are only *insurgents* in Scotland, and the *king's troops* are only *regular forces*! The other phrase had acknowledged a right in our sovereign, not quite so willingly owned by all his subjects in the north of this island.

In the *Gazetteer*, of last Saturday, are the following lines, which are a noble specimen of *North British logic*:

To the P R I N T E R.

S I R,

I am *authorised* to send you the following article, to be printed in your paper as soon as possible.

“That the public may not be imposed upon, and imagine the *taking* of Newfoundland was done by the consent of our ministry, we are assured that four men of war of the line and some frigates are going to sail immediately from Portsmouth to *retake* the said place.”—A most conclusive argument that *Newfoundland* was not *taken* by consent of our ministry, because, from the just clamour of an enraged people, four men of war and some frigates *are to be sent to retake it*! I suspect that my friend the *BRITON* is this *authorised state* writer, from the reasoning, and the phrase of the *taking being done*, which is such reasoning and English as he usually deals out to us on Saturdays.

How intirely will this article wipe away all the ill-grounded suspicion of mankind!

Numb. X. Saturday, August 7, 1762.

PRO ARIS, et focis.

For GOD and country.

TO THE NORTH BRITON.

S I R,

AMONGST the many great and daring steps lately taken to raise us from obscurity, and invest us with that power and influence which we have long aspired to, but never could obtain till this happy period, when merit carries every thing

thing before it, I am amazed that one, which in itself would be glorious, and would also give a lustre to, and ensure the continuance of, all our other acquisitions, hath so long escaped the active and discerning spirit of our *countryman*; I mean the *interests of Presbyters*. In vain do we promise ourselves a continuance of power in the *state*, unless we can find means to establish a superiority in the *church*. The clergy of *England* will naturally be jealous of our growing greatness; and the influence which they have over the minds of the populace, when considerations of interest get the better of their indolence, and demand the exertion of their strength, is too evident, and well deserves our most serious attention. From their intrigues, as soon as they enter into the real spirit of our designs, we must expect much trouble, and an opposition not to be despised. As resolute men, we ought not to be discouraged by this approaching storm, but as prudent men we ought, if possible, to prevent or break the force of it; nor doth any other method of doing this occur to me, but the levelling one great stroke immediately at the root of all their influence and power. Could we once see, what we have often wished for in vain, *Presbytery* established on the ruins of *Episcopacy*, what good things might we not promise to ourselves! What evil things might we not have it in our power to denounce against our enemies! Then should they feel the weight of our resentment, and find to their cost *what spirit we are of*; then might we lord it with security, and, the terrors of the church co-operating with the secular arm, our power would be *universal, absolute, and perpetual*. The precise method of bringing about this great event I cannot take upon me to determine. I leave it to those who have already accomplished things of greater difficulty; but the necessity of its being effected, in order to establish us for ever in *England*, I must positively assert. When once it is happily brought to pass, I would humbly hope, in order to give *the spirit of our profession its true and full force*, that the *act of toleration* might be immediately *repealed*.

I am, SIR, your's sincerely,
PRESBYTER.

THOUGH I cannot but commend the zeal and approve the sentiments of my correspondent, yet I must think his vehemence gets the better of his judgment, and hurries him on at such a rate, as would retard, if not overthrow, the designs he is so forward to promote. Every *true Scot* is undoubtedly of his opinion; he must see the very great importance of this point, and in justice both to himself and country must burn for the accomplishment of it; but discretion steps in, and teaches us to consider this event as placed at a great distance, surrounded with difficulties, and to be brought to pass by slow degrees. Our great patron himself, *whose thoughts are always at work for our good*, hath, I will not doubt, had this important object often in his view, though prudence, and not inattention, as my correspondent imagines, hath as yet restrained him from taking any open steps towards the obtaining it. Much greater caution is requisite to bring about changes in a church than in a state. The *ecclesiastics* are an artful, subtle, and powerful body in all countries: their eyes, however dim to other things, are remarkably quick to every thing which concerns their own interests: they are generally proud, revengeful, and implacable: and yet most of them have the art to throw a veil over their evil qualities, and establish an interest in the opinions of the people. History will supply us with numberless instances of their capacity for mischief, and their success in it. Most of the revolutions in *Europe* have been chiefly owing to the intrigues of churchmen; and from the unaccountable accounts of a late unaccountable revolution* in the *North*, we may at least gather thus much, that it is safer to take off the head of a layman, than to wag a finger against the beard of a priest. Great caution therefore is requisite on our side, and I hope my countrymen will always observe it, and never

* The dethroning the late Czar, Peter III.

let this grand point be out of our thoughts, but let discretion mark the several steps by which we make our way towards it.

It has been asserted, that as religion in *England* is at so low an ebb, and the difference between the *English* and *Scottish* church consists only in mere form, this alteration might be effected with much ease. Those who maintain this will do well to consider, that where religion prevails in its true and genuine spirit, forms are looked on with an eye of indifference; but in a nation where the true spirit of religion is lost, and nothing but forms remain, there they are considered with the greatest respect, and assume an essentiality which in themselves they have not. Besides, will they tell us that the dignities and lucrative preferments of the church are mere forms? These surely are not insubstantial phantoms; these certainly have an essence. Nor can we suppose that what hath been obtained at the expence of every free and manly sentiment, shall afterwards be given up by the possessors tamely, and without opposition. *Talk against religion, decry morality, openly attack Scripture, corrupt the practice, unsettle the faith of mankind, naturalize Jews, confound marriages*—still every thing is well, all is safe and quiet.—But if you would destroy, or lessen the rights of *churchmen*, if you would controvert their claims, supplant them in their preferments, and make encroachments on their power, then must you expect a general cry, the whole spiritual body will be up in arms, the thunders of the church will be levelled against you, and the populace must be taught that religion is struck at, and the church in danger. Safer indeed will our nation always find it to attack a *Saviour* than a *surplice*, to raze out the *four evangelists*, than to shew an inclination for plucking *one spiritual ear of English corn*.

Notwithstanding these obstacles, which we may expect to meet with from the *English* clergy, I would not have the design relinquished. Let difficulties do their proper work—add a spur to our resolution and diligence, and confirm our prudence; for by that, and that only, can we hope to succeed. Moderation is our present business, the best answer to the objection of our enemies, and the only way of getting them into our power, and of making them feel the weight of our resentment, when it is our interest to shew it. In order to pave the way to this desirable event, and to lessen the clamour, when it shall happen, I would recommend it to my countrymen, who have *Presbyterian* interest at heart, to enter immediately into the church of *England*, and take orders—*They will be sure of all the best preferments*; and when the change we so much desire is effected, they may be good and true *Presbyterians* again. Their being in the church will lessen the weight of the *English* clergy, and their return to us will give a fresh addition of strength to our party. As to the charge of *dissimulation* or *hypocrisy*, which may maliciously be brought against them, they will stand excused by the cause for which they acted. If this was not the case, and if the good of the country and countrymen was not a sufficient excuse for *flattery*, *lying*, *perjury*, *perfidy*, *treason*, and *rebellion*, what must become of every true *Scot*?

As to the repeal of the *act of toleration* proposed by my correspondent, it must certainly take place, but not at the time he mentions. Should we defer it till the completion of this great event, we shall lay ourselves open to the reproaches of our adversaries, and be asked, how we can deny that indulgence to others, which we have so strongly pleaded for, and happily enjoyed ourselves? A question this not to be answered, and therefore we must take care that it shall not be asked. Let the *act of toleration* then for this reason be repealed some little time before the abolishment of *episcopacy*, and we may with a good grace afterwards lay before the good people of *England* the terrors of the Lord.

The whole of what I have here said, may perhaps be deemed chimerical—Think so still—May security be your ruin—The event will shew who was right. Something relative to this point our *arch enemy* SWIFT has observed, and I hope in the spirit of prophecy; it was feared in his time, and may be accomplished in ours.—Take his own words:

“ We

“ We observe the Scots in our northern parts to be a brave, industrious people, extremely devoted to their religion, and full of an *undisturbed* affection towards each other. Numbers of that noble nation, invited by the fertilities of soil, are glad to exchange their barren hills of *Loquabar*, by a voyage of three hours, for our fruitful vales of *Doun* and *Antrim*, so productive of *that grain*, which at little trouble and less expence finds diet and lodging for themselves and their cattle. These people by their extreme parsimony, wonderful *dexterity in dealing*, and firm adherence to one another, soon grow into wealth from the *smallest beginnings*, never are rooted out where they once fix, and increase daily by new supplies. Besides, when they are the superior number in any tract of ground, they are not *ever-patient of mixture*; but such whom they cannot *assimilate*, soon find it their interest to remove. I have done all in my power on some land of my own to preserve two or three *English* fellows in their neighbourhood, but found it impossible, though one of them thought he had sufficiently made his court by turning *Presbyterian*. Add to all this, that they bring along with them from *Scotland* a most formidable notion of our church, which they look upon at least three degrees worse than popery; and it is natural it should be so, since they come over full fraught with that spirit which taught them to abolish *episcopacy* at home.”

After some very impertinent observations relative to the repeal of the Test, the Dean says, “ I do not see how it can be otherwise, considering their ignorance and our supineness, but they may in a very few years grow to a majority in the House of Commons, and consequently make themselves the national religion, and have a fair pretence to demand the revenues of the church for their teachers. I know it will be objected, that if all this should happen as I describe, yet the Presbyterian religion could never be made the national by act of Parliament, because our bishops are so great a number in the House of Lords, and without a majority there the church could not be abolished. But I have *two very good expedients* for that, which I leave you to guess, and I dare swear our Speaker here has often thought on, especially having endeavoured at *one of them* so lately. That this design is not so foreign from *some people's* thoughts, I must let you know that an honest *bell-weather* of our house (you have him now in *England*, I wish you could keep him there) had the impudence some years ago in Parliament-time, to shake my Lord Bishop of *Killaloe* by his lawn sleeve, and tell him in a threatening manner—*That he hoped to live to see the day when there should not be one of his order in the kingdom.*” Letter concerning the Sacramental Test.

Numb. XI. Saturday, August 14, 1762.

Neque solum quid istum audire, veram etiam quid me deceat dicere, considerabo.

Nor shall I consider only what it may be proper for Him to hear, but also what it may become Me to say.

I HAVE found it by far the most disagreeable circumstance attending this political warfare, that I am obliged weekly to wade through all the dirt and filth of some contemporary writers, whose natural propensity seems now only to have gained its true bias. Every thing appears to flow in its proper foul channel with them. *Faction* and *falsehood* are the two main pillars of their political state. One of them even glories in his *invention*. I hoped to have been excused from

from reading any of my fellow-labourers, except the BRITON, who has proved to me a fine drowsy opiate after my Saturday's vespers. For my sins I undertook the penance of his company, and I fear have too often been benumbed by the touch of this torpedo; but the AUDITOR has of late taken so much obliging notice of me, that I must, from literary politeness, make him too some returns. I will however (according to the sage advice of Tully in my motto) *consider not only what is fit for him to hear, but for me to say.*

I am rather hardly dealt with by him. He accuses me of *poverty of invention*. Surely this is unreasonable, to expect that *invention* in my *prose*, which is not to be found in his *verse*. He says, "he threw out a hint, that I might copy the plan of *news for one hundred years hence*, which the reader may remember was published some years since against the Jew Bill." The reader may likewise remember that there was published, at the beginning of this century, Swift's *predictions for the year 1708*, of which the other (notwithstanding his impudent pretensions to originality) is but a tame imitation. The truth is; *Swift* is the father of all political *humour*; the AUDITOR and I follow *non æquis passibus*. I thank him however for giving me the true key to the knowledge of the author of that paper, by his doating on the child, and his still remembering, what every body else had forgot, an old paper of *news for one hundred years hence*; a paper, I own, of a little easy humour; but he is proud of it, because it is in the highest manner of such a *Flemish* painter, finished *con amore*. I am sorry that sprightly running is over, and that he is now drawn down to the foulest dregs of political controversy. In the same page he talks of *plagiarism*, and borrows almost every line from *Pope* and *Swift*. I am not hurt by this. I wish most heartily that he would steal more largely from both. It will be more of them, it will be less of him: more of them, and less of himself will be as agreeable to the public, as to me. I beg he would tell me, whence I stole the idea of a *second-sighted Scotsman*, that I may justify myself against my own countrymen, who abuse me for having, as they say, hit the true point of ridicule against our nation, because there is no other which makes so silly a pretension.

But is indeed *invention* the great talent of a political writer? I have always thought otherwise, and, knowing where my strength lay, have ever stated *facts* and *dates* in all historical occurrences, and have constantly left the glory of *invention* to the AUDITOR and the BRITON. Such great things were achieved during the late administration, that *invention* would lag behind; and were the AUDITOR a poet of the noblest imagination, instead of only *measuring out a mongrel kind of tinkling prose*, without fire or fancy, he would not have dared to have *feigned* half the heroic acts of the English, for the last six years, under Mr. PITT's auspices. But let him keep his *invention* for his next panegyric on Lord BUTE. There will be the fullest hope, there will be the most real necessity for it. But I fear even in that his genius will fail him; for he has not been able to *invent* one decent excuse for the shameful neglect of the important object of *Newfoundland*. He says, *perhaps no blame ought with propriety to be charged on any man*: he has precisely the same ideas of the loss of *Minorca*; but the nation has not, and does not charge the highest blame on his patrons. He adds, *were Lord ANSON alive to answer for himself, some reasons would perhaps be assigned, &c.* and so because *Lord Anson* is not *alive* to answer for himself, he is to be called from the *dead* to answer for himself, and LORD BUTE too. But who has accused *Lord Anson*, or libelled his memory? I honour the AUDITOR for this happy *invention* (which I believe is his own) of appealing to the *dead*: there he is safe from detection, and may make the appeal as strong, and as circumstantial, as he pleases. But has he no *living witness*? Does not this give the strongest suspicion, that, were *Lord Anson alive*, he would not then venture to make the appeal?

He says, *during the whole war, Newfoundland never had any particular appointment for its protection, except the two men of war to convoy the trade*. I affirm, that every care possible was taken of *Newfoundland*, and the utmost attention given to its preservation through the whole war, and that it was never lost sight of during all the late negotiations; of which there is the fullest written evidence. The French
knew

knew this so well, that no attempt was ever made during the vigilance of the late administration. Their fleets were too narrowly watched; their destination too well known. A superior force was ever ready for the safety of this country, and all her colonies. Had the first minister given half the attention to this truly British concern, which he did to increase domestic feuds and contentions among the English; had he set himself (as he ought to have done) to acquire intelligence of what our restless enemies, the French, were meditating, with half the industry he did (as he ought not to have done) to what was transacting at the Treasury before he had any right to command there, he might, beyond all doubt, have frustrated the attempt on *Newfoundland*. I believe too that knowledge might have been acquired to the full *in as fair and honourable a way as the other was*. He might surely have prevented the French seizing with the wretched remains of their marine (almost annihilated in the course of the last six years) what they could not succeed in under the late ministry, while their navy was so formidable. But we find that *weak and feeble* efforts command success against a *weak and feeble* ministry: and our ancient enemy, when *expiring*, can do more, matched with a pitiful opponent, than when *in full vigour*, with one wise and spirited.

The AUDITOR goes on; *how unlucky is it-----that Thurot landed in Ireland during Mr. PITT's ministry, and that he is not actually at Carrickfergus this day!* It is true, *Thurot* did land in Ireland during Mr. PITT's ministry; but it is no less true, that Mr. PITT gave us the most compendious and complete Gazette I ever read, of the consequences of that attempt, the destruction of every single vessel belonging to that squadron. The squadron which attempted and seized *Newfoundland* during Lord BUTE's ministry, is still in being, triumphant, and perhaps ready to attack *Carrickfergus*. Let us have just such a *Gazette* from Lord BUTE. But we are told the ships *are to sail* to attack the French, and to recover *Newfoundland*. The mischiefs which may ensue long before ships from Portsmouth can reach the new world, are scarcely to be imagined, and too shocking to dwell upon even in idea. What a dreadful interval! How big with horror and death! Before, all was security and ease; now, an universal dejection and dread of futurity prevails.

The AUDITOR proceeds very pertly; *Now tell me, Faction, were there any ships stationed at Newfoundland at that time?* The answer is full, clear, and ready; there were ships stationed there, and in all parts, to watch the whole French fleet; and no sooner did any escape from their harbours, but the most immediate intelligence was given, and all their hopes blasted. *M. de la Clue* in an important business, *Thurot* in a less, are the demonstrative proofs. The consequence was, the effectual ruin of the enterprize, perhaps a total destruction, as in the affair of *Thurot*; the mention of which is no instance of the AUDITOR's sagacity.

The AUDITOR says, that I have cited a malignant paragraph from the *Gazetteer*, and a writer from his king and country is declared to be the author of it. Now if this hireling can prevail upon the noble Lord his patron to advance the money and give security that it shall not be recovered under any of the gaming statutes, I will venture a wager that he forged that very paragraph himself. In answer to this, I will do the NORTH BRITON the justice to say, that he is untainted with the vice of gaming, the loss of which possesses the AUDITOR so strongly, that by another happy invention of his own, he endeavours to introduce it even among poor authors. This infectious vice, I suspect, remains to him from his old patron. The NORTH BRITON can declare he never received an obligation from any great man, but what flowed, in the common occurrences of life, from the mutual tie of a reciprocal private friendship. He is happy with what he has a right to enjoy. He is superior to all gain, and despises the sharing with a hackneyed hireling, the weekly wages of the prostitution of his pen. The AUDITOR earns them dearly: *ill-got* as they are he shall every Saturday night receive them intire from me; and if they are brought to waste, it will be by their being spent in as profligate a manner as they are earned. To annihilate suspicion, I appeal to Mr. Say, the printer of the *Gazetteer*. I could wish he would tell the world (and I call upon him to do it) from whom he received that absurd paragraph, which the writer declared in the letter he was authorised to send him.

As to the AUDITOR's miserable conceit of *person* and *parson*, I must tell him that it is too poor, and only fit for the BRITON. I will whisper him too, that he is totally mistaken, and that the gentleman he means to abuse does not merit that abuse, though he despises it. The AUDITOR (for he has some taste) is, I am sure, conscious, how much the literary world is indebted to that *manly genius* * for some of the most noble productions of our age and language, which will live and be admired by posterity, after all our short-lived political offspring have perished, and this perhaps may be with the same sun which saw them rise.

I have only *two* words to settle with the BRITON this week. They are *glorification* and *vouchsafement*. He says that *I have twice twitted him in the teeth* (a most elegant phrase) *with the word GLORIFICATION printed in Italics*. He affirms that it is an *English* word, to be found in all the common *dictionaries*, and *to be met with more than once in Scripture*. I never denied that it was an *English* word, but I ridiculed it as a *cant*-word of the illiberal and illiterate *Scottish Presbyterians*; and it found favour among their long-winded divines, only because it was so long, and mouthed so well. I will say, however, that I have not met with it in Scripture, and I am satisfied that he cannot name one text where it is to be found.

Now for *vouchsafement*. He says, *I could wish he would settle the authenticity of the word VOUCHSAFEMENTS, used as a substantive, a word which I do not remember to have seen in any dictionary or writer of reputation*. What so ignorant a fellow has seen, I do not know; but I know he may see the word *vouchsafement*, as a substantive too, in *Johnson's English Dictionary*, and the great Boyle quoted as the authority for it. I hope *Johnson* is a *writer of reputation*, because as a writer he has just got a pension of 300l. *per ann.* I hope too that he is become a friend to this constitution and the family on the throne, now he is thus nobly provided for: but I know he has much to *unwrite*, more to *unsay*, before he will be forgiven by the true friends of the present illustrious family, for what he has been *writing* and *saying* for many years. As to the *Briton*, he is so ignorant and foolish, I shall for the future *vouchsafe* him a very small share of my attention; for as every body has left off *reading*, it is high time that I should leave off *answering* him.

* Mr. Charles Churchill.

Numb. XII. Saturday, August 12, 1762.

Pensions, which reason to the worthy gave,
Add fresh dishonour to the fool and knave.

ANON.

TO THE NORTH BRITON.

S I R,

I DO not know in any controversy so sure a method of coming at truth, which is always the pretence, though so seldom the real object of modern enquiries, as a just and strict definition of all the words and phrases of any importance, which are afterwards to be in use. This practice is universal, excepting only in *theological* and *political* controversy. If I take up a book of mathematics, the writer defines in the very first page, what a *triangle*, a *circle*, or a *trapezium* is; and then argues closely from the precise and accurate ideas of each, which the author and reader have previously settled. A book of fortification as regularly sets out with explaining to me what a *bastion*, a *demi-lune*, or a *horn-work* is. I have read much religious controversy; for, unhappily, there is as little agreement between the ministers of the gospel, as between the ministers of state.

state. I do not, however, remember to have found in any of our divines a satisfactory definition of *faith, free-will, or predestination*. We are not yet arrived at the same accuracy, with respect to the meaning of these words, as of a *circle* or a *square*. The same remark will hold true in *political* controversy. Who has with any precision defined the words *faction* or *patriot*? The word *favourite* alone we have of late pretty fully understood the force of, both from the definitions of the MONITOR and of the NORTH BRITON: yet give me leave to say, Sir, that neither of you have reached the force and closeness of expression in the great lexicographer, Mr. JOHNSON, who defines a *favourite* to be *a mean wretch, whose whole business is by any means to please*. But whether the word has been well defined or not, in former periods of the English history, the effect of it has been very fully felt, and even at this hour it is never uttered without the most unjust passion and ill-founded resentment, as if the nation was now smarting from the sad consequences of its reality, and exertion in pride and insolence.

The word *pension* likewise has of late much puzzled our politicians. I do not recollect that any one of them has ventured at a definition of it. Mr. Johnson, as he is now a *pensioner*, one should naturally have recourse to, for the truest literary information on this subject. His definition then of a *pension* is, *an allowance made to any one without an equivalent*. In England it is generally understood to mean pay given to a state hireling for treason to his country. And under the word *pensioner* we read, 1. *One who is supported by an allowance paid at the will of another: a dependant*. 2. *A slave of state, hired by a stipend to obey his master*. But with submission to this great prodigy of learning, I should think both definitions very erroneous. Is the said Mr. Johnson a *dependant*? Or is he a *slave of state hired by a stipend to obey his master*? There is according to him, no alternative. Is his *pension*, understood to be pay given him as state hireling for treason to his country? Whoever gave it him, must then have read *London*, a Poem, &c. &c. and must have mistaken all his *distant hints* and *dark allusions*. As Mr. Johnson therefore has, I think, failed in this account, may I, after so great an authority, venture at a short definition of so intricate a word? A *pension* then I would call a *gratuity during the pleasure of the Prince for services performed, or expected to be performed, to himself or to the state*. Let us consider the celebrated Mr. Johnson, and a few other late pensioners, in this light.

Mr. Johnson's many writings in the cause of liberty, his steady attachment to the present Royal Family, his gentleman-like compliments to his Majesty's grandfather, and his decent treatment of the parliament, intitle him to a share of the royal bounty. It is a matter of astonishment that *no notice* has till now been taken of him by government for some of the most *extraordinary* productions, which appeared with the name of *Samuel Johnson*; a name sacred to *George and Liberty*. No man, who has read only one poem of his, *London*, but must congratulate the good sense and discerning spirit of the minister, who bestows such a part of the public treasure on this distinguished friend of the public, of his master's family, and of the constitution of this country. The rewards are now most judiciously given to those who have supported, not to those who have all their lives written with bitterness, and harangued with virulence, against the government. With all due deference to the first minister's discernment, I rather think that Mr. Johnson (as merit of this kind must now be rewarded) might have been better provided for in another way: I mean at the board of *Excise*. I am desirous of seeing him one of the *commissioners*, if not at the head of that board, that the gentlemen there may cease to be *wretches hired by those to whom excise is paid*. His definition of *excise* is, that it is *a hateful tax levied upon commodities, and adjudged not by the common judges of property, but wretches hired by those to whom excise is paid*. Is the *excise* still on the same footing? I wish to know who hires these *wretches*, the *commissioners of excise*. Mr. Johnson says, *those to whom excise is paid*! If that is indeed the case, I am not at a loss to find out to whom *excise is paid*, nor who of consequence, in Mr. Johnson's idea, hires these *wretches*.

These

These are fair extracts from the celebrated *English Dictionary*, which was presented by a noble lord in such pomp to the academy *della Crusca*. It will give the country of the old Romans the justest idea of English liberty, and of the present patrons of it amongst us, who have so illiberally rewarded the author. The *literati of Italy* will not only find an excellent *literary* dictionary, but a compleat system of English politics and history, worthy of this renowned nation, for every thing is recorded in the manly style of old *Rome*. As we have had our tyrants as well as they, a Roman spirit has arose against them here, and as it ever will, has bore down all before it. The expulsion of the *Tarquins* is not told by any old Roman historian in more animated language, and more glowing words, than the expulsion of the inveterate enemies of liberty, the whole race of the *Stuarts*. Mr. Johnson says, the *Revolution* is the *change produced by the admission of King William and Queen Mary*. What noble words! What a bold glowing expression! I should not have dwelt so long upon Mr. Johnson's literary merit, if I did not believe that his writings had done more real service to the family on the throne, than any man's—excepting only Mr. *Secretary Murray's*;—another sacred name to *George and Liberty*.

I most heartily beg lord LITCHFIELD's pardon. I have been so used to find him at the head of the country party, and the Oxfordshire Old Interest, that I did not expect, under a prince of the house of *Brunswick*, to have seen him at the head of the pensioners. I ought to have paid my first compliments to his lordship. He is at the head of the pensioners, and at length basks in the sunshine of court favour, from having in the most critical times distinguished himself as a warm friend of the house of *Hanover*. When the whole nation rose up, like one man, in defence of their sovereign and their liberties, lord LITCHFIELD stood forth among the most zealous, and put himself at the head of amazing numbers of true freemen of the Old Interest in Oxfordshire. I hope that ever-memorable year 1746 will never be forgot. In that perilous year the family on the throne saw who were their real friends, and undoubtedly have profited by an experience so happily made. Read over the list of those generous *associators*, who formed a *sacred band* for the defence of all that ought to be dear to an Englishman: there you will find the name of the earl of LITCHFIELD. Every man in Oxfordshire will tell you, how nobly he exerted himself, when Hannibal was at our gates; what real strength the nation derived from his great and spirited efforts; what sums he subscribed; what immense expences he bore with chearfulness, to encourage his friends to the straining of every nerve against his and our common enemy. I do not indeed recollect that he raised any regiment, though many others of the nobility did; but I readily comprehend why he did not. The administration were at that time so over-run with gross prejudices, that they thought his lordship, and those friends of his, could not be trusted. The present ministry think more justly; and should such another day come, I am satisfied they will be found as zealous in the cause of their country as before. It is plain then, that lord LITCHFIELD is at the head of the Pensioners on account of real services performed in times of real danger.

I think that I am right in declaring that a *pension* may not only be given for *services actually performed*, but likewise for *services expected to be performed*. This I take to be the case of the *pensions* generally given to the *sixteen peers*, who represent the whole nobility of *Scotland*. I am far from meaning that they are the only *sixteen Scottish* peers who enjoy *pensions*. I speak of them now, as having votes in the house of Lords, from their being representatives of all the rest. *Pensions* have commonly been given to them for the services they are to perform to their country there, and to give them the true bias, which they might otherwise mistake. When Lord BUTE was in a former Parliament one of the *sixteen Scottish* Peers, he actually enjoyed a *pension* on this truly honourable footing, and therefore he has the fairest right to the title of *Grand Pensionary*.

In this more liberal construction of the word *pension*, I should imagine the *Lords of the Bedchamber* in general were included. I take this to be the true reason of the

the encrease of their number in the present reign from *twelve* to *eighteen*; which is still kept filled up. This is by no means want of *economy*, that darling attribute of modern statesmen! It is done that so many noble persons may be ready to perform in parliament any services which their *country* calls for, and is thus in reality only a *more honourable pension*.

I beg to be understood. Not only real services in parliament, but every species of elegance and refinement in the polite arts may, I think, without censure, be rewarded with a *pension*. A politeness equal to that of lord TALBOT's—*horse* ought not to pass unnoticed. At the coronation he paid a new, and, for a *horse*, singular respect to his sovereign. I appeal to applauding multitudes, who were so charmed, as to forget every rule of decency, and to *clap* even in the *Royal* presence, whether *his*, or his *lord's* dexterity on that day did not surpass any courtier's. Caligula's *horse* had not half the merit. We remember how nobly *he* was provided for. What the exact proportion of merit was between his *lordship* and his *horse*, and how far the pension should be divided between them, I will not take upon me to determine. I leave this knotty point to be decided by the earl of Eglington, because Mr. John Hume, alias Home (for so it is printed in the new sweet nosegay of *Scottish thistles*) tells the world, vol. ii. p. 230, that he is

“ A friend of princes, poets, wits,

“ A judge infallible of *TITS*.”

In my private opinion, however, the merit of *both* was very great, and neither ought to pass unnoticed. The impartial and inimitable pen of *Cervantes* has made *Rozinante* immortal as well as *Don Quixote*. Lord TALBOT's *horse*, like the great planet in *Milton*, *danc'd about in various rounds his wand'ring course*. At different times, he was *progressive*, *retrograde*, or *standing still*. The *progressive* motion I should rather incline to think the merit of the *horse*, the *retrograde* motion, the merit of the *Lord*. Some of the regulations of the courtiers themselves for that day had long been settled by former lord stewards. It was reserved for lord Talbot to settle an *etiquette* for their *horses*.

I much admire many of his Lordship's new regulations, especially those for the royal kitchen. I approve the discharging of so many *turnspits* and *cooks*, who were grown of very little use. I do not, however, quite like the precedent of giving them *pensions* for doing nothing. It was high time to put an end to that too great indulgence in eating and drinking, which went by the name of *Old English hospitality*, when the house of Commons had granted a poor, niggardly *civil list* of only 800,000*l*. I sincerely venerate his Lordship's great abilities, and deeply regret that they are not employed by government in a way more *confidential*, more suited to his manly character.*

There is one *Scottish pension* I have been told of, which afforded me real pleasure. It is Mr. Hume's; for I am satisfied that it must be given to Mr. David Hume, whose writings have been justly admired both abroad and at home, and not to Mr. John Hume, who has endeavoured to bring the name into contempt, by putting it to two insipid tragedies, and other trash in the *Scottish miscellanies*.

I must in compliance with a few vulgar writers, call the *inadequate* reward given to Mr. Pitt, for as great services as ever were performed by any subject, a *pension*, although the *grant is not during pleasure*, and therefore cannot create any undue, unconstitutional influence. In the same light we are to consider the duke of Cumberland's and Marlborough's, Prince Ferdinand's, and admiral Hawke's, Mr. Onslow's, &c. I was going to call it the *King's gold box*; for Mr. Pitt having before received the most obliging marks of regard from the public,

* This panegyric on the character of lord Talbot, so enraged his lordship, that in about a month afterwards means were taken to bring about a duel between Mr. Wilkes and him, in which his lordship appeared extremely ridiculous. For a more particular account, see Appendix.

the testimony of his sovereign only remained wanting. The circumstances however attending it convince me, that *at that moment* it was artfully contrived by courtiers to be given to Mr. Pitt, neither for *Louisbourg, Quebec, nor Pondicherry*, but to ruin him in the opinion of mankind, and with the hope of putting an end to that popularity, which he has through life courted with such painful zeal, prostituted to such flagitious purposes, and made use of above all to raise the flame of discord, which raged for the last six years, but is now, under the auspices of lord BUTE, happily extinguished.

Numb. XIII. Saturday, August 28, 1762.

Mancipiiis locuples, eget æris Cappadocum rex.

The Cappadocian King is rich in slaves,
But cash is wanting.

TO THE NORTH BRITON.

S I R,

I NCLOSE a very great curiosity, which I desire you to reprint *verbatim*. It will shew the present age how unjust the last was in their sentiments of the people and country of *Scotland*, and that the prejudices against the inhabitants of the northern part of this island were not conceived by the *English* yesterday. I beg to give you a motto from Horace, which I think conveys no bad idea of a *Highland Chief*.

I am, &c.

A

PERFECT DESCRIPTION

OF THE

PEOPLE AND COUNTRY OF SCOTLAND.

By JAMES HOWELL, Gent.

LONDON: Printed for J. S. 1649.

FIRST, for the country, I must confess, it is good for those that possess it, and too bad for others to be at the charge to conquer it. The air might be wholesome, but for the stinking people that inhabit it; the ground might be fruitful, had they wit to manure it.

Their beasts be generally small, women only excepted; of which sort there are none greater in the whole world. There is great store of fowl too, as fowl houses, fowl sheets, fowl linen, fowl dishes and pots, fowl trenchers and napkins, with which sort we have been forced to say, as the children did with their fowl in the wilderness. They have good store of fish too, and good for those that can eat it raw; but if it come once into their hands, it is worse than if it were three days old; for their butter and cheese I will not meddle withal at this time, nor no man else at any time that loves his life.

They have great store of deer, but they are so far from the place where I have been, that I had rather believe than go to disprove it: I confess all the deer I met

met withal was dear lodgings, dear horse-meat, and dear tobacco, and *English* beer.

As for fruit, for their grandfire *Adam's* sake, they never planted any; and for other trees, had *Christ* been betrayed in this country (as doubtless he should, had he come as a stranger) *Judas* had sooner found the grace of repentance than a tree to hang himself on.

They have many hills, wherein they say is much treasure, but they shew none of it: nature hath only discovered to them some mines of coals, to shew to what end he created them.

I see little grass but in their pottage: the thistle is not given them of nought, for it is the fairest flower in their garden. The word hay is heathen Greek unto them; neither man nor beast knows what it means.

Corn is reasonable plenty at this time; for since they heard of the king's coming, it hath been as unlawful for the common people to eat wheat, as it was in the old time for any but the priests to eat shew bread. They prayed much for his coming, and long fasted for his welfare; but in the more plain sense, that he might fare the better, all his followers were welcome, but his guard; for those, they say, are like *Pharaoh's* lene kine, and threaten dearth wheresoever they come: they could persuade the footmen that oaten cakes would make them long-winded; and the children of the chapel they have brought to eat them for the maintenance of their voices.

They say our cooks are too saucy; and for grooms and coachmen, they wish them to give to their horses no worse than they eat themselves; they commend the brave minds of the pensioners, and the gentlemen of the bed-chamber, which choose rather to go to taverns than to be always eating of the king's provision; they likewise do commend the yeomen of the buttery and cellar, for their readiness and silence, in that they will hear twenty knocks before they will answer one. They persuade the trumpeters, that fasting is good for men of that quality; for emptiness they say causes wind, and wind causes a trumpet to sound well.

The bringing of heralds, they say, was a needless charge; they all know their pedigrees well enough; and the harbingers might have been spared, since they brought so many beds with them; and of two evils, since the least should be chosen, they wish the beds might remain with them, and the poor harbingers keep their places, and do their office as they return: his hangings, they desire might likewise be left as reliques, to put them in minde of his majestie; and they promise to dispense with the wooden images; but for those graven images in his new beautiful chapel, they threaten to pull down soon after his departure, and to make of them a burnt-offering to appease the indignation they imagined conceived against them in the breast of the Almighty, for suffering such idolatry to enter into their kingdom: the organ, I think, will finde mercy, because, as they say, there is some affinity between them and the bagpipes.

The shipper that brought the singing-men with their papistical vestments, complains that he hath been much troubled with a singing in his head ever since they came a board his ship; for remedy whereof the parson of the parish hath persuaded him to sell that prophane vessel, and to distribute the money among the faithful brethren.

For his majesty's entertainment, I must needs ingenuously confess, he was received into the parish of *Edenberg* (for a city I cannot call it) with great shouts of joy, but no shews of charge for pageants: they hold them idolatrous things, and not fit to be used in so reformed a place. From the castle they gave him some pieces ordnance, which surely he gave them since he was king of *England*; and at the entrance of the town they presented him with a golden bason, which was carried before him on men's shoulders to his palace, I think, from whence it came: his majesty was conveyed by the youngers of the town, which were some hundred halberds (dearly shall they rue it in regard to the charge) to the

Crafts,

Cross, and so to the high church, where the onely bell they had stood on tip-toe to behold his sweet-face; where I must intreat you to spare him, for an hour I lost him.

In the mean time to report the speeches of the people, concerning his never exampled entertainment, were to make this discourse too tedious unto you, as the Sermon was to those that were constrained to endure it. After the preaching he was conducted by the same halberds unto his palace, of which I forbear to speak, because it was a place sanctified by his divine majesty, onely I wish it had been better walled, for my friends sake that waited on him.

Now I will begin briefly to speak of the people, according to their degrees and quaualities; for the lords spiritual, they may well be termed so indeed, for they are neither fish nor flesh, but what it shall please their earthly god, the king, to make them. Obedience is better than sacrifice: and therefore they make a mock at martyrdom, saying, that Christ was to die for them, and not they for him. They will rather subscribe than surrender, and rather dispence with small things than trouble themselves with great disputation: they will rather acknowledge the king to be their head, than want wherewith to pamper their bodies.

They have taken great pains and trouble to compass their bishopricks, and they will not leave them for a trifle; for the deacons, whose defects will not lift them up to dignities, all their study is to disgrace them that have got the least degree above them; and because they cannot bishop they proclaim they never heard of any. The scriptures, say they, speak of deacons and elders, but not a word of bishops. Their discourses are full of detraction, their sermons nothing but railing, and their conclusions nothing but heresies and treasons. For their religion they have, I confess they have it above reach, and God willing, I will never reach for it.

They christen without the cross, marry without the ring, receive the sacrament without reverence, die without repentance, and bury without divine service: they keep no holidays, nor acknowledge any Saint but Saint *Andrew*, who they say got that honour by presenting Christ with an oaten cake after his forty days fast. They say likewise he that translated the bible was the son of a malster, because it speaks of a miracle done by barley loaves; whereas they swear they were oaten cakes, and that no other bread of that quantity could have sufficed so many thousands.

They use no prayer at all, for they say it is needless: God knows their mindes without prattling, and what he doth he loves to do it freely. Their sabbath's exercise is a preaching in the forenoon, and a persecuting in the afternoon; they go to church in the forenoon to hear the law, to the crags and mountains in the afternoon to ***** themselves.

They hold their noses if you talk of bear-baiting, and stop their ears if you speak of a play: fornication they hold but a pastime, wherein man's ability is approved and a woman's fertility discovered; at adultery they shake their heads; theft they rail at; murder they wink at; and blasphemy they laugh at: they think it impossible to lose the way to heaven, if they can but leave *Rome* behinde them.

To be opposite to the pope is to be presently with God. To conclude; I am persuaded that if God and his angels at the last day should come down in their whitest garments, they would run away, and cry, The children of the chapel are come again to torment us, let us flee from the abomination of these boys, and hide ourselves in the mountains.

For the Lords spiritual and temporal, temporizing gentlemen, if I were apt to speak of any I could not speak much of them, onely I must let you know they are not Scottishmen; for as soon as they fall from the breast of the beast their mother, their careful fire posts them away for *France*, where, as they pass, the sea sucks from them that which they have suck'd from their rude dams; there they gather new flesh, new blood, new manners; and there they learn to put on their cloaths, and then return into their countries to wear them out; there they learn

learn to stand, to speak, and to discourse and to congee, to court women, and to compliment with men.

They spared no cost to honour the king, nor for no complimentary courtesie to welcome their countrymen; their followers are their fellows, their wives their slaves, their horses their masters, and their swords their judges; by reason whereof they have but few laborers, and those not very rich: their parliaments hold but three days, their statutes three lines, and their suits are determined in a manner in three words, or very few more, &c.

The wonders of their kingdom are these; the lord chancellor, he is believed; the master of the rolls, well spoken of: and the whole counsel, who are the judges for all causes, are free from suspicion of corruption. The country, although it be mountainous, affords no monsters but women, of which the greatest sort, as countesses, and ladies, are kept like lions in iron grates. The merchants wives are also prisoners, but not in so strong a hold: they have wooden cages, like our boar franks, through which, sometimes peeping to catch the air, we are almost choaked with the sight of them; the greatest madness among the men is jealousy, in that they fear what no man that hath but two of his senses will take from them.

The ladies are of opinion that *Susanna* could not be chaste, because she bathed so often. Pride is a thing bred in their bones, and their flesh naturally abhors cleanliness; their breath commonly stinks of pottage, their linen of p—ss, their hands of pigs t—ds, their body of sweat, and their splay-feet never offend in socks. To be chained in marriage with one of them were to be tied to a dead carcass, and cast into a stinking ditch; formosity and a dainty face they dream not of.

The ointments they most frequently use among them are brimstone and butter for the scab, and oil of bays and stavesacre. I protest I had rather be the meanest servant of the two to my pupils chambermaid, than to be the master minion to the fairest countess I have yet discovered. The sin of curiosity of ointments is but newly crept into the kingdom, and I do think will not long continue.

To draw you down by degrees from the citizens wives to the country gentlewomen, and convey you to common dames in *Sea-coal-lane*, that converse with rags and marrow-bones, are things of mineral race. Every w—— in *Houndsditch* is an *Helena*; and the greasy b—— in *Turnball-street* are *Greekish* dames in comparison of these. And therefore to conclude: the men of old did no more wonder that the great *Messias* should be born in so poor a town as *Beth-lem* in *Judea*, than I do wonder that so brave a prince as king *James* should be born in so stinking a town as *Edinburgh*, in l—sy *Scotland*.

Numb. XIV. Saturday, Sept. 4, 1762.

Nihil tam *Populare*, quàm *Pacem*, quàm concordiam, quàm otium, reperiemus.

We shall find nothing so popular as peace, rest, and quiet. CICERO.

AMONG the various popular artifices, which have been in vain employed by a most unpopular set of men, to amuse and dupe the multitude, not one has been so frequent for many months as the industrious propagation of the report of the happy dawning of *peace*, which is the great object of every honest man's wishes. It will indeed at this time be doubly welcome; for it will relieve us from the just terrors which the continuance of a war, now so ill conducted, and the enemies possession of *Newfoundland*, have given every good subject. I will not dwell upon the probability of future ignominious losses

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which

which must follow, while our affairs are in such weak hands; nor will I mention all my apprehensions for the infant colony of *Halifax*, because I hope that a *peace* will put a period to all our fears.

At one time emissaries of the minister have told us that a *peace was as good as concluded*, then, *only little formalities remained to be adjusted*; now in the fulness of time, it is become the first article of their political creed, that it is *actually signed*, and in *lord Bute's* pocket. These reports have been circulated with the utmost care and industry from various motives. Those of a *private* nature, which were calculated for *private* ends, to raise or fall our political barometer, the stocks, I shall not dwell upon. I will mention one of a public concern, and of no small importance. The world has seen the total incapacity of the *new minister* to carry on a war, and the neglect of *Newfoundland* has filled every thoughtful mind with the most uneasy forebodings of futurity. The voice of the people has said, that the existence of *his* power depended on the making *peace* with France; and almost every express he has received from abroad has demonstrated the necessity of it, and has given lord BUTE the mortification of finding how ill the war went on, and how little confidence our allies have in the present minister. He has likewise experienced the additional chagrin of finding how ardently they wish for his predecessor. I believe that, next to the consciousness of having merited the reproaches he meets with, it must be the most real anguish to his mind, (though it is neither noble, nor has great refinements) to know the generous, and free applause given to his great adversary. How often of late has envy and malice sickened at the glorious testimony foreigners have borne to the superior merit of Mr. PITT, and to his unrivalled ability in the conduct of a war!

A minister of mean and narrow genius, who finds himself embarrassed in the management of an important war, is from necessity drove to ask *peace* for the preservation of his own power, and the concealment of his incapacity from his master. But the mischief lies here, that such a minister must take any *peace* the enemy will give, who knowing that it must be had, will only grant it on the most hard and dishonourable conditions. This was exactly the state of England at the latter end of queen Anne's reign, after the change of the glorious ministry, which had preserved Europe from the universal monarchy of the house of *Bourbon*. Our arms had then too (*but only in one quarter of the world*) been crowned with astonishing success. The greatest harmony prevailed among all the parts of the grand alliance: but GREAT BRITAIN was the *soul* of the whole. She did not then withhold her treasure, because she knew that it was applied to the support of the common cause, which I take to be the ruin, or at least the humbling of France. The victory of *Hochstedt* in that war, as of *Rosbach* in this, broke that formidable power. France was reduced so low, as to feel the necessity of a *peace*, and to make repeated overtures. Lord *Walpole* reminds me of a modern statesman, when he talks of the *duke of Marlborough's indefatigable activity and desire to fall upon the French in all places, and on all occasions*, p. 55. Yet I never heard that the views, even of that amazing genius extended beyond *Europe*. How is every good man's indignation raised, to find that *his most glorious designs were likewise defeated by a contemptible faction* of artful men, who had undermined him at court, and ruined him in the opinion of his sovereign, though they could not rob of the hearts of the people! On the alteration of the ministry, how was the scene changed! A peace became necessary for the private views of the new managers, and was to be had on any terms. They, after the splendor of such victories, *humbled* themselves before the proudest monarch in *Europe*, and *begged* peace of him. An Englishman can scarcely read without tears the history of our infamy during that whole negotiation of a *Tory* ministry. All the glories of that war were tarnished by the shameful peace of *Utrecht*; which the two ministerial scribblers of these times are every week applauding, and, I fear, most ominously, giving out as a precedent to this age. The French at last recovered from their panic; their spirit revived on the change

change of the ministry, and the abbot POLIGNAC said carelessly, *Ce que nous perdrons en Flandres, nous gagnerons en Angleterre*. There are many things remarkably striking in this period, which, I think, come home to the present Times. I shall mention a few, and shall give the most unexceptionable testimony, that of lord Walpole of Woolterton, who was in 1709, at the Hague, secretary to the British embassy for negotiating a peace.

“ The ministry and measures were changed ; the reverse of that honest and useful principle, of preserving *union* and *harmony* among the confederates, soon took place, and was productive of those fatal consequences that were obvious and natural. A shameful and unprovoked separation from our allies put it into the power of *reduced France* to dictate the terms of peace to her *victorious* enemies: terms not only ignominious and unjust to our *friends*, but even those granted to ourselves, instead of securing any particular advantages as a recompence for the sacrifice we made of our allies and of our honour, if any thing could be a recompence for so base a behaviour, were detrimental to the interest, trade, and safety of this nation.” P. 128.

“ This digression serves to point out the true and original cause of that scene iniquity and treachery, which followed the alteration of the ministry. P. 129. By a plausible appearance of a disposition for *peace*, he, the French king, not only quieted the minds of his people, whose clamours, from their miserable conditions, had been loud, but he wrought them up to a zeal to support him.” P. 151.

“ They, the French, had got *into a negotiation with our ministry*: they did not doubt but the advantages they should reap from thence, would more than recompence the losses they had suffered by the duke of Marlborough’s arms.” P. 199.

“ All these hopeful expectations of *reaping the fruit of so much blood and treasure*, were blasted and confounded on a sudden, by the prevailing intrigues of a faction, composed of some few ambitious and designing men. These new projectors, impatient to succeed and support themselves in their places, broke through the barriers of honour, honesty, and good faith ; and giving up all concern, not only for the interest of our friends, but of their own country, without any other motive or provocation than that of satisfying their wicked and aspiring views at any rate, and in order to bring in the Pretender, flung themselves into the arms of France.” P. 8.

“ That far from steadily insisting upon, as before this *unaccountable change* it was practicable, and in their power to have done, terms of peace agreeable to treaties, and to the principles upon which those treaties were founded, they were forced to receive the law from her, and accept of such conditions as she should condescend to give to us and our allies ; and while we shamefully abandoned them, far from obtaining, as we pretended, particular advantages to this nation, as a satisfaction for our having borne the chief burden of the war ; what was peculiarly granted to us was calculated to dazzle the eyes of the unthinking multitude, being of no benefit to us, but productive, as they afterwards proved, of new troubles in Europe.” P. 9.

“ France, in this distracted condition of her affairs, both at home and abroad, to appease the clamour of her miserable subjects, to make the allies more slack and remiss in their warlike preparations, and to create, if possible, jealousies and divisions among them, had recourse to all imaginable arts and intrigues to make the belief of an approaching *peace* generally prevail.” P. 122.

These passages are faithfully extracted from *An answer to the latter part of lord Bolinbroke’s letters on the study of history, by the late lord Walpole of Woolterton*, which has been printed by the present lord Walpole, and given only to his friends: but I hope that so useful a work will not be kept long from the public*.

Much art has been used to prepare the minds of men for this long-expected

* The impatience of the public for this valuable work has since been obligingly gratified.

peace, and many curious doctrines have been promulgated to quiet our scruples with regard to some articles said to be contained in it, which strike equally at the interest and honour of the nation. The BRITON tells us, *that no state can be bound by any treaty, which shall turn out manifestly prejudicial to its interest, because it is always supposed that every engagement of this nature is contracted with a view to self-preservation or public advantage.* Is this the *good faith* for which England has ever been celebrated? I will venture to say, that there is no doctrine more wicked, more calculated to destroy the most sacred ties, than this now laid down by this advocate of the present ministry. This is beyond *Machiavelian* politics. Nothing in the famous *Morale des Jesuites* comes up to it. He applies this doctrine to the king of Prussia, whom his sovereign calls our ally, and he stiles a royal freebooter; but he ought to have known that the king of Prussia himself has nobly refuted the poor sophisms of the *antimoralists* he admires, and in his writings, as well as by his practice, has proved that *good faith* and a *religious observation of treaties*, is equally the clear duty and interest of all princes. No man but the BRITON ever held such infamous doctrine in a civilized nation. It would disgrace the most barbarous savages in America. Lewis the XIVth acting through a long wicked life by this maxim of the BRITON's, that *he was no longer bound by any treaty, than he found it for his own interest to be so*, was of consequence detested as infamous in his own age, and is branded by posterity as the most perjured prince on record. The BRITON says, *it is a maxim adopted by civilians.* It is then only by *Scottish civilians*, or perhaps by a few unprincipled advocates of our own at *Doctors Commons*, who cooked up the artful affidavits, which some infamous *Monte Christi* traders (for they deserve not the honourable name of *merchants*) persuaded their agents, &c. to make in this war. Has it indeed been the regular practice of the Scottish nation, and is it therefore mistaken for a part of their law? Or is it to be a part of the new *Scots law*, which the AUDITOR mentions? I should like to see this very moral *Codex Buteanus*, illustrated with the *German* commentaries of count *Mansfeldt*, that accomplished civilian, and justly renowned, not so much indeed for nervous, manly sense, as for spinning the most curious webs of artful sophistry, finer and slighter than the very *Gossamer*. I dare say that by one of his *beautiful reasonings* on the chapter of *wills*, we shall find it deduced, that, if an immense property should be wickedly left by a father in his dotage, from an only *English* son into a *Scotsman's* family, the *Scotsman* may, consistent with honour and conscience, keep the whole, yet endeavour to pervert and entirely change the clear will and intention of his great benefactor, divert the golden stream of *Pactolus* into another channel, for his own selfish purposes, and make use of every art, and all kind of influence, to attain so righteous an end.

I have heard of a *quaint* declaration of the minister to his friends, that *he thinks he sees through a peace*. What is to be understood by so strange a phrase I shall scarcely take upon me to determine. Is the *peace* of so slight and flimsy a contexture, that the artifice of it is easily *seen through*? Or does it mean that a peace so patched, is *seen through*, because it can have no permanency? I will consider this phrase more at large, when it is, as translators always say, *made or done into English*; for I am not obliged to understand the language of a *foreign minister*, nor will I learn it, when it is barbarous and uncouth.

As the negotiation is soon to be opened in form, I rejoice to hear that the administration is so fortunate in the choice of a noble personage, who has *condescended* to go on the part of England, not to *sign*, but to *treat of a peace*. His grace's happy temper, his winning manner, and obliging deportment, will soon secure him the hearts of the *French* as entirely as they did the hearts of the *Irish*, who lived so blessed under his government. I hope for this purpose that his old secretary, the *learned* master of the rolls, is to attend the embassy. I am satisfied that the *French* will approve our choice, and that there will be the truest harmony between them. His grace has been pleased to declare, that he *wept over our victories*, so have the *French*: there may therefore be a full chorus of *sighs* and

and groans between them: and when their tears are dried up, I suppose they will laugh together at our loss of *Newfoundland*. I will venture to prophecy, that on the noble duke's wished-for return to his native country, he will be attended to the *Gallic* shore by at least as great crowds of *Frenchmen*, shrugging their shoulders, as he was to the *Irish* shore by the men, women and children of that country, all dissolved in tears.

One particular I beg leave to suggest. In common policy the nakedness of our land should rather be concealed by his Grace abroad; for though it is very encouraging to the nation, and highly proper in a house of parliament, and in all companies here, to represent this country as totally exhausted, and unable to proceed at all with the war, yet in France this same language, held by a minister sent to treat of a peace, might be no small argument against the glorious terms of it, which the unparalleled successes of the war give the nation the justest right to expect.

Numb. XV. Saturday, Sept. 11, 1762,

Ostentabant Pisoni nutantes Gallias, paratam Germanium, pericula ipsius, et
pace suspecta tutius bellum.

When we are surrounded with danger and confusion, an open war is preferable to a suspected peace.

THERE is scarcely any circumstance in life more provoking than to be broke in upon when a man is deeply engaged in an affair of real moment and of a serious nature, by some stupid fellow, and interrupted with his insipid raillery on a trifling subject. Such an impertinent companion have we all found the AUDITOR last week. When the most general alarm prevailed every where, of preliminaries being actually signed, so injurious to the honour of the nation, so inadequate to the successes of this glorious war, he, mal-à-propos, stepped forth, and instead of endeavouring to quiet our fears, and to pour balm into our bleeding wounds, gives us a long tedious paper of *toasting healths*. Amidst the universal murmurings and discontents of the people, from the suspicion that so many of our glorious conquests, purchased with so much blood and treasure, were to be given up to our antient enemy, at length so weakened and reduced, this *mauvais plaisant* endeavoured in vain to raise a laugh by his low buffoonry and jests, equally *stale* and *ill-timed*, on *fox-hunters* and *country squires*. Is this ribaldry to serve instead of observations on the great business, to which the * *under-secretary of state's* letter to the city of *London* called our particular regard, and on which indeed every eye was before fixed with so much attention?

This ministerial advocate must in vain expect to turn our thoughts from what we all feel to be of the truest national importance. The alarm is universal, and can only be calmed, if indeed it can be calmed, by authentic information of what is concealed so mysteriously from the world. For though Mr. *Wood's* letter only says, that the duke of *Bedford* is sent to treat of a peace, the public report, as yet uncontradicted, has given the most important articles of it, which have raised the indignation of the people. I hope in due time we shall be favoured with lord *Egremont's* first as well as some few subsequent letters on this great occasion.

* Neither of the secretaries of state condescended on this occasion to write to the city of *London*.

I cannot but remark the wonderful difference between the sentiments of mankind now, during the present negotiation, and what they were while we were treating with France a few months ago. The war against the common enemy was then carried on in all parts with amazing vigour and success, during that whole negotiation, so *suspicious* on the part of France; no conquests were made on us, but the French empire was *mouldering* away; a most entire harmony prevailed through the nation; the utmost confidence was placed in the minister; and no man was alarmed at a treaty's going on with France, because the nation and its allies thought their interests safe in those hands. We ourselves entertained no fears, nor had our allies any suspicions of the want of that *good faith* for which the crown of *England* has in all ages been celebrated. The infamous doctrine of the wretch, who scribbles under the *royal arms*, had not then been broached in this country. The nation was unanimous in opinion, that an *open* and *spirited war* was a state of greater security, than an *insidious*, *inglorious*, and *uncertain peace*. *Newfoundland* was not then in the hands of our enemy, a plea with monsieur *Bussy* for any concessions inconsistent with our honour, or our most important interests, our *fishery* and *navy*. The present time of our negotiating, when we have just received so fatal, so stunning a blow, I am afraid forebodes no good. Had we recovered so important an object first, with what higher dignity should we have entered into a negotiation, which now rather betrays our fears, than portends our obtaining those great terms which all Europe demands for us, as the just price of peace to be paid to England by a *vanquished* and *late dispirited* enemy. I fear a negotiation at this crisis will rather seem to be calculated to save what remains of our old empire, than to preserve what the late ministry conquered from the proud rivals of our trade and commerce. The duke of Bedford will now have the *retort courteous* of *Newfoundland fishery, navy*, in return for what his grace may say of *Quebec, Pondicherry, &c.*

What pains has the poor AUDITOR taken to divert our attention, and how has he laboured to relieve us from these melancholy objects, which he fees prey on our spirits? Not a syllable of *Newfoundland*, or the new *treaty of peace*, but a most tedious dissertation on the *Romans, Germans, Thracians, &c. &c.* and their convivial entertainments! I believe he is no great *Greek*, or it would be strange he could omit all mention of the most *polite* and *elegant* nation the world ever saw, who were so given to indulge in all the sprightly sallies which wine inspires, that *pergræcari* is the very phrase even the Roman authors use; and Plautus very fully explains it, *dies noctesque bibite, PERGRÆCAMINI*. Even the word *symposium*, which the AUDITOR always uses, is the *Greek* term; for Tully remarks, in honour of his countrymen, that the Roman word was *convivium*, which better expressed the *accubatio epularis amicorum, quod vitæ conjunctionem haberet*. He is not, however, very accurate even as to the *Romans*, though he gives us such long insipid passages from the dull commentators, who for ever disgrace the bottom of the *white classic page*. He would persuade us that no *party divisions* were in their drinking clubs, and no *political toasts* drank; but I am satisfied of the contrary from *Horace*, who in his fine ode to *Augustus* concludes the politics of the times, *Quis Parthum paveat? Quis gelidum Scythæ, Quis Germania, &c.* with

— dicimus integro
Sicci mane die, dicimus vividi,
Cum sol oceano subest.

Even old *Cato's* virtue, I am satisfied, was frequently known *mero incaluisse* to good patriot toasts; and had a citizen the merit of conquering the capitals of the Gauls in two quarters of the globe would not that great Roman's heart have been thirsty for the noble pledge of his health? and would he not have filled till the wine over-swelled the cup, as Shakespeare says? Were the name of the patriot or hero

Hero unluckily so short as to admit but of four *cyathi*, according to their rule, a *Roman* wit would have tacked an *Asiaticus* or *Africanus* to it, and have tried in such a cause, on a *festus dies*, to have burnt out night's tapers, and have sat up till morning, to behold the noble *Claude Lorraine* of nature, the most glorious sight of the whole creation, *joynd day standing tipstoe on the misty mountain's top*. I am persuaded however, that no *arbiter bibendi* could have made a true *Roman* crown the bowl to a *Consul*, who had lost an important *Roman* colony, or to an oppressive and insolent governor of *Sicily*.

As to myself, I declare I have so much of the *Greek* and *Roman* spirit in me, that I should not hesitate a moment to prefer *pledging* *PATRIOT* toasts with a set of sensible and spirited friends of their country, in *Surry*, *Sussex*, or *Buckinghamshire*, to the drinking *chocolate* with a weak, passionate, and insolent secretary of state, on the very expensive terms that it was given, together with wonderful good advice, last week, by lord *Egremont*, to Mr. *Charles Say*, the printer of the *Gazetteer*. I will only tell his lordship, that if he means to give *chocolate* to every *Englishman*, who declares his suspicions of what the ministry are doing, all the sugar islands together, if we are suffered to retain them, will not hold out a single month in furnishing that commodity.

If the *French* take *Placentia*, or *Halifax*, the *Auditor* has so much studied the antiquities of that *amiable* nation, that I suppose he will divert us with another paper on his favourites, the *Jews*, and will, from such reading as was never read by any man of spirit and sense, inform us whether they begun the custom of *toasting* before or after the *Babylonish captivity*, and what toasts, which are now drank in *CHRISTENDOM*, they adopt, or are likely to adopt, *one hundred years hence*, varying only the mode of expression. Or shall we rather, in his quaint phrase, have something *muse-like* to divert us? I hope it will be something more *muse-like*, more like some one of the *nine*, than the barren muse of the *Desart Isle*, or the wretched *Orphan of China*. Or will this profligate player give us a *pantomime*, or a *past*, *vamped*, *future*, *old revived*, *new* tragedy, and most ingeniously contrive, like *Tantalus*, to murder even his own miserable offspring. Will he be *Counsellor*, *Author*, *Manager*, *Pimp*, *Poet*, or *Player*?

But this *Proteus* shall at present give place to a worthy correspondent, who I find has no more inclination than myself to drink *chocolate* with lord *Egremont*, even on the most pressing compliments of Mr. *Carrington*, who is not apt to take a denial, when he finds a gentleman at home.

TO THE AUTHOR OF THE NORTH BRITON.

S I R,

I LATELY gave information by a letter to the *Gazetteer*, under the name of *Piscator*, of some circumstances relative to the capture of *St. John's*, which I found on my arrival were not known in England. These were published Wednesday, August the 25th, but the next day were contradicted, it was said, on good authority, as being without foundation. I wrote two other letters, and yesterday was published the following extraordinary article.—“ Whilst our correspondent, *Piscator*, who wrote about *Newfoundland*, chuses to conceal himself under that character, it would be highly improper for us, in this public manner, to say more than that it is impossible for us to insert his third letter.” This seems plainly to intimate that the authority on which he contradicted my information was from the ministry, who obliged him to apologize for what he had already said, as being too true for the public knowledge.

Now I have suffered too much already in my private fortune, by the capture of *St. John's*, to be willing to expose myself to be hampered by those in power, merely for telling truth; I therefore sit down to relate the above circumstances to you, for you to make use of them, as your better prudence and experience shall suggest, for the information of the public. As to the truth of them, I have

have already and do again desire no better testimony, than to appeal to the many witnesses who are now in England, who were at St. John's at its surrender, and are arrived some in private ships, and others in the *cartel* ship. If I have said any thing untrue, it would be very easy for them in a public manner to demonstrate my falsehoods; but however willing they may be to press their fingers on their lips, through prudence, I am much mistaken if any of them would publicly set their names to the falsity of things known for truth by all the inhabitants of St. John's. I am not unacquainted with the French commandant, a man well known in those parts, and deservedly esteemed as well for his worthy qualities, as especially for his humanity to our countrymen after our defeat before Quebec. At St. John's he gave another instance of the same, by desiring some of the inhabitants to come to his camp, to see the thousand grenadiers he had landed, and thereby preserve the town from plunder and the consequences of a storm. On his arrival in town, he publicly declared that he knew the small number of the garrison, which remained there; which, according to the report of those I met at *New-York*, did not exceed *forty*. This is in some measure confirmed by the *Paris Gazette*, which makes it but *sixty-three*, exclusive of the crew of the *Gramont*; and, we imagine, for the honour of their conquest, they have eked out the list as much as possible. I make little doubt that our next advices from *Newfoundland* will confirm another part of my information, namely, that *Placentia* is still in our possession, which, if it had no better garrison originally than St. John's must just as well have fallen too, as the *French* have there full 1500 men, besides the crews of their ships, and well knew that we had no naval force at *Halifax*, nor could any arrive to annoy them sooner than from *England*. If *Placentia* should fall too, we shall then judge, whether what I have further said be without foundation or not, by the number of prisoners which the French account shall report to have made there.

I am, Sir, your humble Servant,

Sept. 2.

PISCATOR.

I have read the celebrated letter from *Wandsworth*, which has been circulated with so much industry for the two last days. It is a mixture of absurdity and inconsistency. The author says that he *writes without any particular information*; yet soon after *takes for granted, that the Peace now offered by France and Spain united is in many respects better, and in no respect worse, than the peace, which was so near being concluded the last year*. How comes he to take this for granted, for by his own account, the declaration of the administration is very general, and therefore I think highly *suspicious*! He declares *that the terms now offered are much more favourable to Britain than those that were the foundation of the treaty last year*. Was the peace offered to us, or was it not humbly asked by us? He very dexterously passes over the important change in the courts of *Russia* and *Sweden*, no longer hostile to us, or our allies; the conquest of *Martinique*, perhaps the *Havannah*, &c. which have happened since the negotiation begun last year: and speaks with great tenderness of the *cruel taxation in France*. He then calls on the *enemies of peace to contradict him, that there is no likelihood of compelling France to submit to terms better for us than those now offered by another campaign*. I really believe not, if his blundering friends are to continue our managers. But who are these enemies of peace? Does he mean the city of *London*, because he affirms *the capital derives peculiar advantages from the war*? I have not heard of any man such an enemy to his country, as not to wish for peace; but it is not any peace; it must be a *safe and honourable peace*, adequate to the successes of the war; and whoever dares to make any other peace, I hope every good Englishman will stand forth, and drag him, even from behind the throne, should he take shelter there, to receive the just punishment of so great treachery to his injured country.

Numb.

Numb. XVI. Saturday, Sept. 18, 1762.

Still nod the plumage o'er the brainless head:

Still o'er the faithless heart the ribbon spread.

WHITEHEAD's Manners.

TO THE NORTH BRITON.

SIR,

I BEG pardon for the use of so unfashionable a word, but I must say that I am an *Englishman*. I now prefer that word to *Briton*, because there is lately established in my neighbourhood a club, consisting intirely of *Scottish* gentlemen and the *Scottish* tradesmen they deal with, who affect always to call themselves *Britons*. There is besides a very mean writer, who is every week endeavouring, with much success, to make the word *Briton* as universally ridiculous, as *Cibber*, and his simple successor, have the word *Ode*, which no man of taste at this hour hears pronounced without laughing.

I do not mean, Sir, to dwell on words. I call myself an *Englishman*, because it is the term the natives of my country generally use; and I am proud that from their innate valour and intrepidity it has been as much honoured and dreaded, as ever that of *Roman* was. I might add, that whole empires, where the *Roman eagle never flew*, have revered the name of *England*, and crouched to our lion. My heart too is intirely *English*, and like that of a good citizen, has rejoiced over every victory my brave countrymen have gained. With what triumph did I read the Spanish minister's declaration, *That the court of London was in the most flourishing and most exalted situation it had ever known, occasioned by the greatest series of prosperities that any single nation had ever met with!* This was, I think, in August last, under the late spirited and successful administration. But ever since the loss of *Newfoundland*, I am afraid to enquire, because I am certain I should blush to hear the sentiments of foreigners concerning us.

But, Sir, our greatest glory is, that we have an *English king* on the throne, with the best dispositions, and the warmest desires of making us happy under his mild government. He is truly the delight of his people, and we justly pride ourselves in being governed by a prince who makes the laws the rule of his actions. His throne is founded in justice and mercy. He has not waded through blood to it, nor has he since stained it with the foulest murder*. I hope therefore that *his* reign will be long and prosperous, and that he will continue enthroned in the hearts of his subjects. May he never lose the smallest share of our regard and affections by an ill-placed confidence in a weak or wicked minister, whose interest it may become in future time to alienate his sovereign from all his *old and faithful* servants, in order to recommend his own creatures, however suspected they may be even in affection and fidelity to his master's family, and despicable in the eyes of their country!

I am, Sir, so much of an *Englishman*, that I most ardently love my country, and mean to spend all my days in it. I must own too that I warmly enter into all the honest prejudices of my countrymen. I despise the *ordon bleu* of France, and think the most noble order of the garter is the only order in Europe really to be valued. I have been out of humour for a week, that I cannot have the

* See Number X.

happiness of seeing my sovereign, in all the pomp and dignity the august ceremonies of the *installation* at Windsor are so soon to call for, to the admiration of my countrymen. I should be highly gratified also to see another prince of the house of *Brunswick*, enrolled with the greatest names of this and of almost every other civilized nation; with our *Henries* and *Edwards*, with *Francis the First*, and *Henry the Fourth* of France, *Gustavus Adolphus* of Sweden, &c. I really think this *most noble order* will itself derive the truest lustre from every additional name of the *Brunswick* family, because they have ever been the patrons of liberty in so conspicuous a manner, as to be *beyond all Greek, beyond all Roman fame*; and have so nobly answered those great ends for which they were called to the imperial crown of these realms, the preservation of the sacred rights of this people. I wish, therefore, that the heir to the crown, and, I hope, to the patriot virtues of his family, even thus early, had the *blue ribbon*; or that at least *one had been reserved for him*. I cannot but look upon that given to the *Scot*, as fitter for a *Prince of Wales*; and I should have had true satisfaction in seeing the youngest prince of a family, to whom we owe our invaluable liberties, adorned with the ensigns of this *English order*. I own my indignation rises on this occasion, and is only equalled by my grief, at another *Stuart's* being installed in *St. George's Chapel*. We have suffered enough by the whole: but I find we are for ever at least to be reminded of them. I have heard of a vain inscription at the family-seat of *Mount-Stuart*, *Not they from kings, but kings from them*. Is this the subject of panegyric? Are these the benefactors of mankind, the guardians of the liberties of their country and of Europe, which the *Nassau* and *Brunswick* race have cemented with their blood? If we are to judge of the stem, by what has proceeded from it, a series of cowardly and merciless tyrants, then it is indeed most accursed; and I will affirm, because the English history proves it, that it had been happier for this country, if every *Male Stuart* had been strangled in the birth. Each reign of that family was one continued attack on our laws and constitution. Since the accession of the most illustrious house of *Brunswick*, our liberties and the excellent constitution of this country have been revered by the sovereign, equally with the most favourite branch of his prerogative. No one instance can be alledged of an Englishman's suffering, but from the just sentence of his country, since the auspicious dawn of the first of August 1714. I will therefore, as an *Englishman*, reverence the name of *Brunswick*, and hold in eternal contempt and infamy that of *Stuart*.

I observe that the *garter* has been the gift of virtue to her sons, for noble actions against the enemy, *the Gaul subdued*, or for the blessings of concord and harmony restored among the citizens at home, or for manly worth, superior gifts of understanding, and unspotted virtue. I will not now invidiously point out under which class I would rank the *Scottish Knight elect*, because I think he has an *equal right* to all; only I will observe, that the statutes of the *order* expressly require him to be *without reproach*. But I regret exceedingly that the *Knight elect* did not keep to the northern order of his own countrymen, which he might have done without the least envy; and really there would be at present a peculiar propriety in it, from two very strong reasons, which I shall leave my reader to find out from *Elias Ashmole*, that important but rather tedious *Windsor herald and historian*. The order of *St. Andrew*, or the *Thistle*, in Scotland, is reported by John Lesley, bishop of Ross, to take beginning from a bright cross in heaven, in fashion of that whereon *St. Andrew* suffered martyrdom, which appeared to *Hunstus king of the Picts* (and to the Scots, whom *Achaius king of Scotland* sent to his assistance) the night preceding the battle with *Athelstan*, king of England, OVER WHOM PREVAILING, they went in solemn procession to the Kirk of *St. Andrew*, to thank God and his apostle for their victory, promising that they and their posterity would ever bear the figure of that cross in their ensigns and banners. Or if the reader chuses to ascribe it to the old allies of the Scots, the perfidious *French*, rather than to their ancient enemies the *English*, *Ashmole* is still my Authority.

thority. He says, from *Menenius*, *There are some that refer the institution of the Thistle to the reign of Charles the Seventh, king of France, WHEN THE AMITY WAS RENEWED BETWEEN BOTH KINGDOMS*; that is, between France and Scotland.

At the election of a Knight into our *most noble order*, I think the investiture is made with the *Garter and George*, but the *Star* is not worn till the day of *installation*. All the *trivial, fond records* of the *garter* are filled with pompous accounts of the brightness of the *star*, and the irradiated virtues pourtrayed by it. I shall not tire myself with transcribing any of them; nor will I mention the miseries which the new *aurora borealis* is thought to portend to this country, and which we already begin to feel. That *ignis fatuus of glory* (for such is the base phrase of the BRITON) I should hope, is almost burnt out. I will, only for a little while, advise the *little stars to hide their diminished rays*. I shall conclude with four very good lines, written by a very mean author, the last of which would be a most excellent motto for the *order*.

Yet if beneath no real virtue reign,
On the gay coat the *star* is but a *stain*:
For could I whisper in his lordship's ear,
Worth *only beams true radiance on the STAR*.

Numb. XVII. Saturday, Sept. 25, 1762.

Its proper power to hurt each creature feels,
Bulls aim their horns, and asses lift their heels. POPE.

THE humourous Mr. *Hogarth*, the *supposed* author of the *Analysis of beauty*, has at last entered the list of politicians, and given us a print of THE TIMES. *Words are man's province*, says *Pope*, but they are not Mr. *Hogarth's* province. He somewhere mentions his being indebted to a friend for a third part of the *wording*: that is his phrase. We all titter the instant he takes up a *pen*, but we tremble when we see the *pencil* in his hand. I will do him the justice to say, that he possesses the rare talent of gibbeting in colours, and that in most of his works he has been a very good moral satirist. His fort is there, and he should have kept it. When he has at any time deviated from *his own peculiar walk*, he has never failed to make himself perfectly ridiculous. I need only make my appeal to any one of his *historial* or *portrait* pieces, which are now considered as almost beneath all criticism. The favourite *Sigismunda*, the labour of so many years, the boasted effort of his art, was not *human*. If the figure had a resemblance of any thing ever on earth, or had the least pretence to meaning or expression, it was what he had seen, or perhaps made, in real life, his own wife in an agony of passion; but of what passion no connoisseur could guess. All his friends remember what tiresome discourses were held by him day after day about the transcendent merit of it, and how the great names of *Raphael*, *Vandyke*, and others, were made to yield the palm of beauty, grace, expression, &c. to him, for this long laboured, yet still, *uninteresting*, single figure. The value he himself set on this, as well as on some other of his works, almost exceeds belief; yet from politeness or fear, or some other motives, he has actually been paid the most astonishing sums, as the price, not of his merit, but of his unbounded vanity.

The darling passion of Mr. *Hogarth* is to shew the *faulty* and *dark* side of every object. He never gives us in perfection the *fair face of nature*, but admirably

mirably well holds out her deformities to ridicule. The reason is plain. All objects are painted on his *retina* in a grotesque manner, and he has never felt the force of what the French call *la belle nature*. He never caught a single idea of beauty, grace, or elegance; but on the other hand he never missed the least flaw in almost any production of nature or of art. This is his true character. He has succeeded very happily in the way of humour, and has miscarried in every other attempt. This has arose in some measure from his head, but much more from his heart. After marriage *à-la-mode* the public wished for a series of prints of a happy marriage. Hogarth made the attempt, but the rancour and malevolence of his mind made him very soon turn with envy and disgust from objects of so pleasing contemplation, to dwell and feast a bad heart on others of a hateful cast, which he pursued, for he found them congenial, with the most unabating zeal, and unrelenting gall.

I have observed for some time his *setting sun*. He has long been very *dim*, and almost *shorn of his beams*. He seems so conscious of this, that he now glimmers with *borrowed light*. *John Bull's house in flames* has been hackney'd in fifty different prints; and if there is any merit in the figure or stilt, and the mob prancing around, it is not to be ascribed to Hogarth but to Callot. That spirited Italian, whom the English painter has so carefully studied, has given us in the *Balli di Sfeffania di Giacomo Callot*, the very same ideas, but infinitely more ludicrous in the execution. The piece in *Smaruolo cornuto. Ratza di Boio*. THE TIMES must be confessed destitute of every kind of original merit. The print at first view appears too much crouded with figures; and is in every part confus'd, perplex'd, and embarrass'd. The *story is not well told to the eye*, nor can we any where discover the faintest ray of that genius, which with a few strokes of the pencil enabled us to penetrate into the deepest recesses of thought, and even caprice, in a *rake*, a *harlot*, and a *profligate young man of quality*.

I own too that I am grieved to see the genius of Hogarth, which should take in all ages and countries, sunk to a level with the miserable tribe of party etchers, and now, in his rapid decline, entering into the poor politics of the faction of the day, and descending to low personal abuse, instead of instructing the world, as he could once, by manly moral satire. Whence can proceed so surprizing a change? Is it the frowardness of old age? Or is it that envy and impatience of resplendent merit in every way, at which he has always sickened? How often has he been remarked to droop at the fair and honest applause given even to a friend, though he had particular obligations to the very same gentleman? What wonder then that some of the most respectable characters of the age become the objects of his ridicule? It is sufficient that the rest of mankind applaud; from that moment he begins the attack, and you never can be well with him, till he hears an universal outcry against you, and till all your friends have given you up. There is besides a silly affectation of singularity, joined to a strong desire of leading the rest of the world: when that is once found impracticable, the spleen engendered on such an occasion is discharged at a particular object, or ends in a general misanthropy. The public never had the least share of Hogarth's regard, or even good will. *Gain* and *vanity* have steered his little light bark quite through life. He has never been consistent but with respect to those two principles. What a despicable part has he acted with regard to the society of *Arts and Sciences*! How shuffling has his conduct been to the whole body of *Artists*! Both these useful societies have experienced the most ungentle and offensive behaviour from him. There is at this hour scarcely a single man of any degree of merit in his own profession, with whom he does not hold a professed enmity. It is impossible the least degree of friendship could ever subsist in this intercourse of the arts with him; for his insufferable vanity will never allow the least merit in another, and no man of a liberal turn of mind will ever condescend to feed his pride with the gross and fulsome praise he expects, or to burn the incense he claims, and indeed snuffs like a most gracious God. To this

this he joins no small share of jealousy; in consequence of which he has all his life endeavoured to suppress rising merit, and has been very expert in every mean underhand endeavour, to extinguish the least spark of genuine fire. But all *genius* was not born, nor will die, with Mr. *Hogarth*: and notwithstanding all his ungenerous efforts to damp or chill it in another, I will trust to a discerning and liberal spirit in the English nation, to patronize and reward all real merit. It will in the end rise superior to the idle laugh of the hour, which these triflers think it the highest praise to be able to raise. For my part, I scarcely know a more profligate principle, than the indiscriminately sacrificing every thing, however great or good, to the dangerous talent of ridicule; and a man whose sole object is *dummodo risum excutiat*, ought to be avoided as the worst pest of society, as the *enemy* most to be feared, I mean a treacherous *friend*. Such a man will go all lengths to raise a laugh at your expence, and your whole life will be made miserable from his ambition of diverting the company for half an hour.

I love to trace the ideas of a genius, and to mark the progress of every art. Mr. *Hogarth* has heard much of the *cobwebs* of the law, and the *spinning fine spider-webs*, &c. This is thrown on paper, and the idea carefully treasured. Lord *Hardwicke* being at the head of the law, and deservedly in as high esteem with his countrymen, as any man who ever held the seals, unspotted in life, and equally revered by prince and people, becomes an excellent subject for the satirical pencil of a malevolent painter. He is accordingly emblematically represented by Mr. *Hogarth* as a great spider in a large, thick web, with myriads of the carcases of *flies, clients* I suppose, sucked to death by the gloomy tyrant. Mr. *Hogarth* had heard of Mr. *Pitt*'s being *above* all his fellow-citizens, and of his superior virtue having *raised* him to an envied and dangerous *height* of grandeur. Now this he has taken literally, and, with the kind aid of *Callot*, has put Mr. *Pitt* on stilts, and made the people *look up* to him; which, after all this insipid ridicule, they will continue to do, as a kind of tutelar deity, from whom they expect that security and those blessings they despair of from others. As to the conceit of the *bellows*, to signify, I suppose, Mr. *Pitt*'s endeavours to blow up the flames of war and discord, it is at once very poor and very false. His whole conduct the last session in parliament, and out of the house ever since, has demonstrated the contrary: *neque vero hoc oratione solum, sed multo magis vitâ et moribus comprobavit.* Cic. de Fin.

Lord *Temple* is a nobleman of fine parts and unsullied honour, who has shewn a thorough disinterestedness, a great love of liberty, and a steady attachment to the public, in every part of his conduct through life. It was impossible such a character could be missed by the poisoned shafts of envy, which we see pointed at all superior virtue. He has besides, the merit of joining in the *written reasons* of the 18th of September. This too can never be forgiven; for the nation is now convinced that had they been followed, the *British* standard had long before this been flying on the walls of the *Havannah*, and the solid mass of strength in *North America* collected by Mr. *Pitt*, had not melted away in the hospitals at *Cuba*. We should not then have had the elements to fight with, or to frustrate those great attempts which our enemies despaired of baffling, had they been made with prudence and a most necessary regard to the season and climate. What a scandalous sacrifice has there been of our brave countrymen from our ill-timing of this important expedition! A minister must not only possess a very narrow, but a very wicked genius, who can consider this as an event that *saves expence*, and frees us from so many mouths that were to be fed, and bodies that were to be clothed. This is another humane instance of ministerial *economy*. No envy will attend such ministers. Contempt and horror will. I must here observe, that there is one merit ascribed to lord *Temple* by the *Briton*, to which he has no kind of pretence. I mean the *having delivered such fine orations among the independant electors of Westminster*, when he inveighed with such force of energy and argument against the *Brothers* who directed the helm of government. Now I will venture to say, that lord *Temple* never once set his foot among the *independant electors of Westminster*; although I must confess that Mr. *George Grenville*

FREQUENTLY did, after his first introduction to that worthy body, by the mirror of patriots and placemen *Paul Whitehead*, Esq. who has since had the grace to take shame to himself for it. Mr. *Hogarth's* wit on this noble lord is confined to the wretched conceits of the *Temple coffee-house*, and a *squirt* to signify the *playing on* the ministry. I really believe this wit is all Mr. *Hogarth's* own.

When a man of parts dedicates his talents to the service of his country, he deserves the highest rewards: when he makes them subservient to base purposes, he merits execration and punishment. Among the *Spartans*, music and poetry were made to serve the noblest ends of the *Lacedemonian* state. A manly courage and great contempt of death were inspired by them, and the poet, musician, foldier, and patriot were often the same good citizen, who despised the low *mechanic* lucre of the profession, and was zealous only for the glory of his country. In the year 1746, when the *Guards* were ordered to march to *Finchley*, on the most important service they could be employed in, the extinguishing a *Scottish* Rebellion, which threatened the intire ruin of the illustrious family on the throne, and, in consequence, of our liberties, Mr. *Hogarth* came out with a print to make them ridiculous to their countrymen and to all *Europe*; or perhaps it rather was to tell the *Scots* in his way how little the *Guards* were to be feared, and that they might safely advance. That the ridicule might not stop here, and that it might be as offensive as possible to his own *sovereign*, he dedicated the print to the king of *Pru[s]ia**, as an *encourager of arts*. Is this patriotism! In old *Rome*, or in any of the *Grecian* states, he would have been published as a profligate citizen, totally devoid of all principle. In *England* he is rewarded, and made *serjeant* painter to that very king's grandson. I think the term means the same as what is vulgarly called *house-painter*; and indeed he has not been suffered to *caricature* the royal family. The post of portrait painter is given to a *Scottsman*, one *Ramsay*. Mr. *Hogarth* is only to paint the wainscot of the rooms, or, in the phrase of the art, may be called their *pannel-painter*. But how have the *Guards* offended Mr. *Hogarth*, for he is again attacking them in THE *TIMES*? Lord *Harrington's* second troop of grenadier guards is allowed to be very perfect in every part of military discipline; and *Hogarth's* friend, the king of *Prussia*, could have shewn him the real importance of it. He had heard them much applauded, and therefore must abuse them. The ridicule ends however in *airs composed by Harrington*, and in a piece of *clockwork*; but he ought to have known, that though *l'homme machine* is not sound philosophy, it is the true doctrine of tactics.

The *Militia* has received so many just testimonies of applause, both from their king and country, that the attack of envy and malevolence was long expected. But I dare say this poor jester will have Mr. *George Townshend's* free consent to vent his spleen upon him and the gentlemen of *Norfolk*. I believe he may ever go on in this way almost unnoticed; at one time ridiculing the *Guards* for a *disorderly*, and at another the *Militia* for an exact and *orderly* march. Mr. *Townshend* will still have the warm applause of his country, and the truest satisfaction, that of an honest heart, for his patriot labours in establishing this great plan of internal defence, a *Militia*, which has delivered us from the ignominy of *foreign hirelings*, and the ridiculous fears of invasion, by a brave and well-disciplined body of *Englishmen*, at all times ready and zealous for the defence of their country, and of its laws and constitution.

* This is the orthography of Mr. *Hogarth*. See the Print.

Numb. XVIII. Saturday, Oct. 2, 1762.

Because, even because they have seduced my people, saying, Peace, and there was no Peace! and one built up a Wall, and lo! others daubed it with untempered mortar. Say unto them, which daub it with untempered mortar, that it shall fall.

BIBLE.

IN the present situation of affairs, when *Peace* is the great object of every man's attention, it is extremely natural that it should be the general subject of conversation. It is no less surprising to hear how differently men think and speak of it now, from what they did during the late popular administration. *Peace* was then considered by *our enemies*, the ENGLISH, as the most desirable of all blessings, but is now spoken of as the greatest of all misfortunes, and to make *peace* and to ruin the nation are esteemed by them terms of the same import. This difference can arise only from their apprehensions that the terms of *peace* now will not be so advantageous to this nation, as those on which Mr. Mr. PITT had formed himself. But what foundation have they for these apprehensions, what shadow of reason for these fears? Is it that the situation of our affairs is altered, and therefore they fear an alteration in the terms of peace, or that they have a bad opinion of my worthy countryman, and distrust his integrity, or his abilities, or both? One of these must be the cause of the present clamour, tho' neither of them should in reason be so. As to the situation of our affairs, they never were in a more flourishing condition; and as to my lord BUTE, is it not sufficient to say that he has done no good, unless they can prove that he has done harm. Happy would it often have been for this kingdom, if her ministers had been of such a complexion, as to do neither the one nor the other! But if we seriously and impartially examine things, we shall find both from the manner in which the war has been carried on during the present administration, the unusual and amazing success we have met with, the caution with which we have entered into the negotiation, and the person who is appointed to conduct it, that as we have a clear right to demand, so have we the greatest reason in the world to expect, such terms as may prove of solid and lasting advantage to these kingdoms.

It is agreed on all hands, that England in her wars with France should never sheath the sword till *Peace* is absolutely concluded. The wicked policy of that nation, their superior address in negotiation, their total disregard of faith, and their known arts of spinning out treaties merely to gain time to recover strength, without any real intention of bringing them to a conclusion, have taught us this lesson, although we have seldom been prudent enough to put it in practice. In justice to the present administration however it must be allowed, that they have profited by the mistakes of their predecessors. Willing to make peace, yet they shew themselves ready to make war, and prudently consider a suspension of arms as advantageous only to the weaker party. It must be confessed, indeed, that they have not sheathed the sword in the bowels of the enemy, but they have gloriously kept it hanging over their heads: moved by christian charity, they have not done the French any actual harm; but then they have plainly enough shewn the power of doing it, if they will; a power which they will no doubt exert, if, contrary to good faith, France, having recovered her spirits and strengthened herself with new alliances during the course of a long and fruitless negotiation, should think proper to renew the war. To fit out great and mighty fleets, to block up the French and Spanish fleets in their ports, or to defeat them

them if they came out, unless they were going to *Newfoundland*, was what every sanguine Englishman would have promised to himself beyond all doubt. But to let our fleets lie rotting in port, to suffer our men to be enervated with sloth, and to dissolve in inactivity, to squander away our treasures, and to send out, merely by way of amusement and to take the air, our bravest admirals and our strongest fleets, at a time when we are engaged in a war with France and Spain, these are instances of such a confident and well-grounded superiority, as must strike terror into our enemies, and reflect the highest credit on that administration for whom alone such glorious proofs of power were reserved.

It must not however be dissembled, that we have met with some petty mortifications during this glorious period. *Newfoundland* is lost; but what is *Newfoundland*? Apply for information to the BRITON, apply to the AUDITOR, and they shall tell you that it is a place of little or no consequence either to the FRENCH or ENGLISH. Those nations indeed have almost from the time of its first settlement been contending for it as a place of the utmost importance; but they greatly over-rated it; the BRITON and AUDITOR have fixed its true value; they assert it, and their assertions are proofs. As to the disappointment which we met with on the coast of *France* in the late secret expedition, that rather reflects honour than discredit on those ministers, who took such prudent steps as prevented it from transpiring, and becoming matter of complaint to a turbulent and discontented people, a people of such a disposition, that *they ought to be ruled with a rod of iron*. As to the great expedition under Admiral HAWKE, which hath occasioned such murmurs, the odium ought to fall on Mr. PITT and the ADMIRAL: on Mr. PITT, for not accustoming fleets to go out *merely to come back again*, and on the ADMIRAL, for preferring honour to safety, and the daring but dangerous directions of the former minister to the good-humoured and safe commands of the present. But however malcontents may endeavour to aggravate these trifles, yet one action more than balances them; I mean that *great*, that *glorious event*, the taking of the HERMIONE; an event of such *national* consequence, and so *unequalled* in history, that our *new ally* Mr. HOGARTH ingeniously insinuates, that it more than counterpoises all our losses, and is alone sufficient to establish the credit of the present ministry.

Our success therefore gives us a right to demand, and the spirit with which the ministry have carried on the war, a probability of obtaining a good peace; and notwithstanding the popular cry which hath industriously been raised against them, I am apt to think that under the auspices of our great patron, we shall see a happy end of this war. In this opinion I am the rather confirmed, because in our present situation I do not see how he can make a bad *peace* without the most imminent danger to himself. A nation elated with such successes, promising to herself the advantages of a secure and extended commerce in peace to reimburse the charges of a long and burdensome war, can never tamely suffer the fruits of their labours to be lost: nor indeed is there any one inducement to precipitate us into a *peace*. Was the minister distrusted, and did he find any difficulty in raising supplies to carry on the war, this might prompt an ambitious man to patch up a *peace* on any terms, and to sacrifice the interest of a whole nation to his thirst of power; but blessed be St. Andrew, this is so far from being the case, that I trust never was minister more respected or beloved. His private life bears witness to his integrity; the course of his administration, short as it hath been, loudly speaks his amazing capacity; and both together have purchased that intire confidence throughout the nation, and especially in the city of LONDON, that their purses are as much at his command as their hearts. Thus situated, he can have no inducement to make a bad peace; and the appointment of that great duke to the embassy, is a proof that he hath no such intentions. His truly patriot spirit, his known love of his country, his clearness of head, equal to the clearness of his heart, sufficiently secure us from any reasonable apprehensions on this point. Had a person been sent who on all occasions had lamented our successes, whose avarice was known to wish an end to the war on any terms, merely on account of the land-tax: whose pride was equalled by nothing but his ignorance; whose spirit was too great to think before he adopted an opinion; and his understanding

ing too weak to suffer any change after he had adopted it; from the management of such a man, I own we should have every thing to fear, whereas now we have every thing to hope.

TO THE NORTH BRITON.

S I R,

Sept. 30.

THE news of the reduction of the *Havannah*, which arrived last night, gives me the sincerest pleasure, but I must say suggests to me at the same time, some painful apprehensions with relation to the manner in which it is to be disposed of in case of a *peace*. Surely we can never think of immediately giving up what has cost us the precious blood of so many brave *Englishmen*, and of gratifying the insolent Spaniard with a sacrifice of such numbers of our fellow subjects. If it is to be surrendered, which the people seem to take for granted, we certainly have a right to expect those articles, on which they grounded the present war, to be determined in our favour. The consequence of the *Havannah* to the Spaniards we all know; and I hope we shall not be so wantonly generous, as not to make an advantage of it. I am anxious to hear the particulars of the siege, and shall with the heart of an Englishman read an account of my countrymen; the return of one of whom, the gallant Capt. *Hervey*, whose behaviour on this occasion renders him dear to every Englishman, gives me the truest satisfaction.

I am, SIR, your's, &c.

Numb. XIX. Saturday, Oct. 9, 1762.

Superior virtue, wisdom, might,
Create and mark the ruler's right,
So reason must conclude;
Then thine it is, to whom belong
The wise, the virtuous, and the strong,
Thrice sacred multitude!

ODE TO MANKIND.

THE following letter, which I have received from *Trowbridge* in *Wiltshire*, I offer to the public entire, because it glows throughout with the true spirit of liberty, and carries with it that strength of argument, and force of conviction which must captivate every candid mind beyond all the subtleties and sophisms of the *Wandsworth* epistle.

TO THE NORTH BRITON,

S I R,

Sept. 22.

AS the BRITON, of Saturday the 11th instant, is an impudent libel on all the good people of *England* in general, as well as on the city of *LONDON* in particular, representing all the *nobility*, *gentry*, *merchants*, *tradesmen*, *yeomen*, and all the *commonalty*, as a seditious rabble, which despises all government, because they express a dislike to some measures relative to a *peace*; and as our constitution is reproached with being an *ochlocracy*, or mob-common-wealth, because it permits our people to murmur with impunity at the conduct they cannot approve, which by the bye is inculcating the vilest tyranny ever practised

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by the worst monsters of all the *Roman* emperors, pray indulge me in communicating to the public a few remarks upon so extraordinary a performance.

I must first observe, that this advocate of tyranny and despiser of the people sets out with some foolish remarks upon modern philosophers, which being trifling and insignificant, I shall pass them over without any farther notice. He then informs us "*that there are a set of speculative philosophical reformers who have espoused the plebeian interest, from an innate aversion to all order and restraint.*" This is, we must confess, a very extraordinary position. *Philosophers espousing the interests of mankind from an innate aversion to all order and restraint.* Wonderful truly! But pray where are those philosophers? What are their names? Where were they born? I believe they received their first existence in this fellow's brains; for no one ever heard of such monsters before. *Moses, Minos, Zaleucus, Plato, Aristotle, Tully, Tacitus, Machiavel, Harrington, Nevil, Sidney, Locke, and Gordon,* have all written upon government; but I never heard, that any of them were accused of being philosophers, *who hated all order.* This extraordinary species of philosophers was reserved for the discovery of that *extraordinary genius*, the author of the *BRITON*. Well; *philosophical politicians espousing the interests of mankind from an aversion to order!* Could any poor creature write such stuff, unless one lately eloped from *Bedlam*?

He proceeds and observes, that it is "*to be hoped some of these politicians, who have an aversion to order, are instigated to it by motives of humanity and benevolence*"; and then concludes, "*that such a disposition is mistaken philanthropy.*" What a profound discovery! What admirable sentiment! O reader! if that thou canst read, read this paragraph of our author's again and again, for thy instruction in politics. But now for the root of this political evil, this philosophical aversion to order, arising from a regard to the interests of the people. This, our author tells us, proceeds from (remark him!) *the opinion that every individual is equally free by nature, and hence has an equal right to intermeddle in the administration of public affairs: a principle, he says, subversive of all government.*

Government is a just execution of the laws, which were instituted by the people for their preservation: but if the people's implements, to whom they have trusted the execution of those laws, or any power for their preservation, should convert such execution to their destruction, have they not a right to intermeddle? Nay, have they not a right to resume the power they have delegated, and to punish their servants who have abused it? If *our king can do no wrong*, his ministers may, and are accountable to the people for their conduct. This is the voice of *Locke*, the voice of our laws, the voice of reason; but we own not the voice of tyrants and their abettors, not the voice of the *Briton*. On the contrary, this wretch preaches up the doctrine, that some part of mankind, nay, the mass, are born slaves, who ought implicitly to be submissive to the caprices of a few, who by accident, knavery, or cunning, shall wriggle themselves into power. One would think this doctrine came into *England*, or was transplanted into this country, from the *hereditary jurisdictions* in the *Highlands* of *Scotland*. We are plainly told, that though we are passengers in the state-vessel, and see the pilot going to run her on the rocks, and make a wreck of her, and a boat provided for his own escape, yet we must blindly submit, and, without a murmur, suffer the villain to execute his hellish purpose: nor dare to intermeddle with the helm, though we know we shall go to the bottom, unless we tip him overboard, tack, and steer another way.

This is admirable doctrine truly! The four last years of queen *Anne* did not produce finer flowers from the garden of tyranny than this. Observe *Britons*, what this despicable wretch, and tool of some in power, would reduce you to. Are these the sentiments of his paymasters? Is this the cue given him in his instructions, to boldly assert, that *Englishmen* are all born to be slaves to a few persons, who happen either by accident to possess a larger fortune, or by his
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own lewdness and debauchery, or by the wicked mean arts of a father or a grandfather, to worm themselves into an estate, and thence wriggle into power, though originally the dregs of the mob? O thou most excellent philanthropist! Thy politics qualify thee to be *Reis Effendi*, or secretary of state to the *Grand Signior*, the *Great Mogul*, the *Inquisition*, or the Emperor of *Morocco*. How would the *Dionysii*, *Agathocles*, *Phalaris*, *Nero*, *Domitian*, and *Commodus*, have hugged such a counsellor of state, such an abettor, such an excellent politician! Well; it being granted that the bulk of mankind being born slaves to a few, who have by base arts wriggled themselves into the administration of the government of a country, it hence follows, that if any of those slaves dare to censure their conduct, they are guilty of high-treason; such behaviour "being subversive of all government, and a principle destructive of all national industry and quiet, as well as repugnant to every fundamental maxim of society." Here he has mistaken the proper word, he should have said, *maxim of TYRANNY*.

We hope this advocate for despotic power and slavery, who seems rather to have been born, adapted, and formed for the instruction of the court of *Nero*, than for the modelling the court of so gracious a prince as *GEORGE III.* is not countenanced in his invectives against liberty, and in reviling the free constitutions and laws of his country, nor in publishing panegyrics on slavery and tyranny, by many in power: if he should, the Lord have mercy on us!

In the reigns of the *Roman* tyrants there sprung up often wretches, the very stamp of the author of the *BRITON*, who were the busy implements and flatterers of those monsters of oppression, and the bane of innocence and all virtue. But I do not remember, that any such appeared in the reigns of *Vespasian*, *Titus*, *Trajan*, *Antoninus*, or *Marcus Aurelius*, or in case they did, if I mistake not, *Tacitus* informs us, all such wretches were driven from the court and the city, under those good emperors, as the most pernicious vermin, and the pests of the human race. We hope therefore that this traitor to his country, this traducer and slanderer of its laws, this reviler of its constitution, this advocate of tyranny and absolute power, will be soon taken into custody by *Mr. Carrington*, for abusing the form of our government, and disgracing the reign of our gracious sovereign, by publishing a plea for tyranny, and asserting it to be a part of our constitution. Such a wretch ought to be punished as an incendiary, that must create fears, jealousies, and heart-burnings among his majesty's good subjects, and make them suspicious that some attempt is going to be made upon their liberties. What do not the demerits of such a wretch deserve from his injured fellow-citizens?

As if this scribbler had not sufficiently displayed his ignorance and love of tyranny; he proceeds and tells us, "That to give a just idea of a mob-ruled common-wealth, we need only peruse the histories of *Athens* and *Rome* during those periods at which their governments were republican: there (says he) we shall meet with nothing but faction, animosity, persecution, ingratitude, and disquiet." We would ask him, whether this republican form of government introduced so many miseries among the people, or brought so many distresses upon human nature, as the despotic and arbitrary forms have done? In case he should assert they had, he must be a most impudent or a most ignorant fellow. I would ask him if he had not rather live in the canton of *Bern*, *England*, or in *Holland*, than in *Russia*, *Turkey*, *Persia*, or *Indostan*?

But the author of the *BRITON* must be a very ignorant fellow, as well as impudent one; for what he says of the Athenians, and their government, is the grossest falsehood or misrepresentation: the *Thetes* had no share of the magistracy; they could only assent to, or dissent from, what was proposed to them. However, when *Aristides* for a short time rendered them capable of office, they always modestly left the magistracy to their betters: though it was during the zenith of the *ochlocracy* that they performed their greatest exploits and acquired their highest renown. They consisted only of about twenty thousand families, and yet they became lords paramount of all Greece, excelled in all

all arts and arms, subdued all the *Ægean* isles, were masters of the seas, extended their conquests to Egypt, often defeated the great king of Persia, and always kept him in awe; and, as Aristophanes observes, reduced a thousand cities under their dominion. But when this mob-government was abolished, and approached nearer to the *aristocratical*, they sunk in their reputation, and elapsed into baseness and corruption.

I will give one instance of the justice and greatness of soul to be met with in this mob-government. *Themistocles* proposed a great advantage to Athens, but said, to discover what it was would prove its defeat: the *mob* ordered him to communicate it to *Aristides*, who informed them it was *advantageous*, but *unjust*: upon which they rejected it, chusing rather to sacrifice their interest than integrity. But the *Lacedæmonians*, ruled by kings, *Thucydides* says, held for honest what *pleased*, and for honourable what *profited*: yet the BRITON avers with his usual impudence, that the Athenians were a mob, among whom nothing reigned but factions, animosity, ingratitude, and disquiet. Surely this writer must be either a most ignorant or a most abandoned profligate, thus to falsify history to deceive and abuse the people. It is true, historians inform us, that when they were free from foreign wars, they were often employed in domestic feuds, the ambition and emulation of their great men never failing to raise disturbances among their fellow-citizens, and to divide them into parties and factions, &c. But all their contentions were the work of their leaders, not of the mass of the people, who would have been glad to have lived at peace, had it not been for the ambition, oppression, and violence of the great, who were continually, both at *Rome* and *Athens*, labouring to oppress them and deprive them of their liberties and privileges.

Thus we have most clearly proved, that this pedlar in small-ware politics has taken upon him to abuse the Athenians as a mob, and their government as anarchy, without knowing their history. His accounts of the *Athenians* and *Romans* are nearly as familiar to truth, as his averring that the present citizens, merchants, traders, and commonalty of LONDON, are just such another rabble as the mob under *Wat Tyler* and *Jack Straw* was formerly. He has given all manner of latitude and scope to his imagination, and indulged falsehood in all her wanton levities: he has dived deep in all kind of filth, emerged loaded with mud, and with this dirt bedaubed his fellow-citizens, the constitution, and the laws of his country.

And now, Sir, indulge me with an *apostrophe*, for I cannot help crying out, Ye worthy citizens of *London*, see! a foul-mouthed ruffian, with the spirit of a parricide and the inquisition, with the infernal rage of a fiend broke loose from the regions of darkness, attack your favourite goddess LIBERTY on her throne, surrounded by you her most zealous votaries; rend her sacred vestments, besmear her with dirt, squirt his venomous excrements in her face, lash her with the keen whips of reproach, and at last, to complete his malice, with the frantic fury of a *Clement*, a *Ravillac*, or a *Damien*, rush forward to plunge a dagger in her heart! O execrable parricide!

When his insulting libels enter your assemblies, why do you not arise, and with honest indignation tear them to pieces, and offer up the mangled fragments to *Vulcan*? Unless you chuse to reserve them for a more ignominious office. You neither want for capacity to discern his insults, nor for spirit to resent the abuse: no; for to do you justice, I must say, whatever the pride of presumption and the swell of vanity may induce some persons to think, the *merchants* of *London*, in their collective capacity, possess more honest, useful, political knowledge, and understand more of the true interest of their country, than all the ministers of state ever discovered, or were masters of, who have appeared in Britain since the invasion of *Julius Cæsar*; however their honest voice may be despised by empty vanity and proud conceit. They have made tyrants tremble on their thrones, and dyed the scaffold with the blood of pernicious, wicked counsellors.

counsellors. That they may always prosper in such pursuits, and confound the machinations of all such advocates for tyranny and slavery as the BRITON and his patrons, is the hearty prayer of,

Sir, your most humble servant,

WILLIAM TEMPLE.

T O T H E N O R T H B R I T O N .

S I R,

I N the public Papers of last Saturday and Monday appeared the following advertisement:

“ The AUDITOR is called upon to lay before the public the evidence on which he advanced the infamous story at the end of his last Thursday’s paper. It is certain that no CONVERSATION of any kind passed between the two persons supposed to be mentioned, except complimentary expressions some months ago, in the presence of a right honourable gentleman. The whole is an entire and impudent falsehood; and if the gentleman so alluded to was guilty of so flagrant an outrage to honour, he ought to be shunned as the pest of society.”

In answer to which the AUDITOR says, *the story is indeed infamous, but by whom is the AUDITOR called upon? Is it by the person charged with that flagrant behaviour? And does he himself plead Not Guilty?* He is called upon by the person supposed to be charged with that flagrant behaviour, who does plead *Not Guilty*, and denies every circumstance of the charge.

Oct. 7.

I am, &c.

Numb. XX. Saturday, Oct. 16, 1762.

ENGLAND! thy fault FRANCE hath in thee found out,
A nest of hollow bosoms.

SHAKESPEARE.

THE AUDITOR, like other low mechanics in the service of the government, has of late been ordered to work *double tides*, and I suppose of consequence has received *double pay*. When the glad tidings of an *Auditor Extraordinary* were first by himself with such parade announced to the public, I could not suspect that he only meant to *double* the nauseous dose of the week. I thought that the *preliminaries*, or the *great outline* of the *peace*, would have been shadowed out, and the uneasy sensation of a fretful impatience for the appearance of that truly *extraordinary* paper preyed upon me. My disappointment was most severe. I found nothing in the *Auditor Extraordinary* but a great deal of low abuse on the city of *London*, and a dull repetition of old fulsome, and outré compliments to *all his paymasters*; compliments which neither he, nor any other man in this country believes. He therefore, in sound policy, has most judiciously made his appeal to a *Chinese philosopher*, whom he soon cures of all his prejudices in favour of this nation; but then, on the other hand, he has given us such a specimen of the *Chinese* in so simple a fellow, that we cannot but laugh in our turn at that *wise* nation. In a former paper he had referred the decision of some constitutional points to the stupid, drunken *Cherokee king**, who would not even articulate, and to his *ideal* majesty of *Brobdingnag*, who

* The Cherokee king was at this time in London.

could not answer him. He has never once ventured to make the appeal to a cool candid Englishman.

The poor *Chinefe*, whom he has dragged to *London*, is first fed with soft, insipid pap, and afterwards with the rankest poison. He is told, that when he first enters this metropolis, he will meet with *daily and weekly libels against a ministry LEGALLY APPOINTED by the sovereign power*. How soon will this foreigner learn the beauties of the English language! Not only *daily* but even *weekly* libels. Has the *legality* of the appointment of the ministry been ever disputed? I have only heard that the *prudence* and *fitness* of the choice, from the known incapacity of the persons, has been indeed very highly arraigned. I will illustrate this by a similar case: *Cibber* and *Whitehead* were as legally appointed laureats as *Johnson* and *Dryden*. The *legality* never came into question, but the *absurdity of the choice* was the object of just ridicule with the public. But though our *Chinefe* is indeed very foolish, he could scarcely avoid making this very obvious remark, that if there are *weekly*, nay *daily* papers, issued against the ministry, it is impossible they can have the confidence of the nation, or the hearts of the people with them. He would be apt to enquire if the late ministry were every *week*, every *day*, attacked by their own countrymen; and if we were (in the AUDITOR's words) *torn with party contentions amongst ourselves, or distracted with different views*, while they held the reins of administration. When he was told that *no* writings of that kind then appeared, he must conclude that the late ministry had the full approbation of their country, and was founded in the love and confidence of the people, who, he would find, were known to wish for their continuance, and *weekly, daily* expressed not only their dislike, but their alarming apprehensions of our present minister, with an openness and spirit warranted by the constitution. His inference would be easy and natural, that there is now something not merely suspicious, but *unsafe* and *rotten* in the state of administration.

The Auditor has very obligingly taken care that we shall not remain in any doubt who the new ministry are, thus *legally appointed by the sovereign power*. In a former paper he has given us an imitation of *Swift's* political dictionary of the fashionable words *church, tory, party, &c.* He tells us the present ministry are *two Scotsmen, together with the lord high chancellor, the right honourable the earls of Egremont, Halifax, Talbot, lord Barrington, Sir Francis Dashwood, Sir John Turner, George Grenville, esq. Charles Townshend, esq. &c.* I believe statesmen of such opposite, incoherent, and heterogeneous principles were never before huddled together. The confusion and fermentation which has followed this unnatural mixture we have all seen. I am not so much surprized at finding Mr. Townshend at the *flag* end of this list, and after some gentlemen now for the first moment, *to their own surprize*, dubb'd *statesmen*, as I am to find him mentioned at all by the Auditor. My reason is, that this statesman is not the *slave of power*, nor the *creature of the minister*. Acknowledged ability and superior talents have alone raised him, and he now holds a great office*, to the entire satisfaction of the public, on the most free and independent terms. He has never stooped to the low arts of cringing to favourites; nor would he ever submit to the insolent controul of a ministerial bashaw. I will answer for him that he will never suffer *his way to be prescribed to him by any proud Scot*. He has proved himself no less the faithful servant of the public than of the prince, and in place has ever preserved the rights of office, the manliness of his character, and a thorough independency in all his conduct. From these considerations it has necessarily happened that no great confidence has at any time been placed by the present ministry in this gentleman. On the contrary, a jealousy and distrust of him have on many occasions indecently broke out.

Two other motives have likewise concurred, and they have both effectually prevented his wonderful abilities and most powerful eloquence ever gaining that ascendancy in the cabinet which they have in parliament, and with the public

* Mr. Townshend was at that Time Secretary at War.

at large. The first is derived partly from his family, partly from himself; the other is entirely *personal*. This gentleman is of a noble *whig* family, ever steadily attached to the *cause of liberty*, and to *revolution principles*; and has himself never been *warped*, never for a moment deviated from the bright path his ancestors have followed with so much spirit and applause. It is impossible therefore that he can enjoy the smiles of an administration, which has *swept the Cocoa* for *statesmen* and *pensioners*, or can really be in any high degree of court-favour, now the family on the throne have for some months ceased to govern by their firm friends the *whigs*, to whom we owe our liberties, and the *Brunswick* family, the glorious protectors of them. It is but justice too to declare, that the house of *Brunswick* owe their firm establishment on the throne of these kingdoms to the steady zeal and intrepidity of the *whigs*. Besides, this gentleman has never *distressed* government. He has often supported it; and, in times of perplexity and embarrassment, has extricated a *weak* and *feeble* ministry, when a national concern has called for the exertion of his abilities. The papers relative to the extent of our rights in *Acadia* and *North America* were drawn up in so correct, clear, and masterly a way, that they have left no room for the smallest cavil of the most shuffling French negociator. This was of the most signal service to government, and was done at an age usually of levity and dissipation; yet is the whole performance so perspicuous and convincing, as well as polished and elegant, that the most experienced and refined statesman might derive real honour from it. This gentleman has passed through almost all the scenes of national business, and in every part of public life has given the clearest proofs of his regard to the principles of liberty, and the rights of the people, secured by the *Revolution*. I therefore rather wondered to find his name at all in the *Auditor's* list. It is upon this principle I suppose the *duke of Devonshire* is totally omitted. I think he is still *lord chamberlain*, though he is not to be ranked among the ministers. I am glad, however, that he still continues in that high office, as he may perhaps keep out a *Scotsman*; and I hope that no studied flights nor offensive behaviour will induce him to gratify his and our adversary, by an ill-timed resignation. I trust that he will, after the great example of his noble house, pledge himself to the public as the firm and zealous supporter of those old *whigs*, whom he knows to be the true friends of his country, and whose attachment to him is so visible to all mankind, and so thoroughly to be depended upon in the most arduous moments.

My other motive for believing that Mr. *Townshend* has no share of ministerial confidence, is my knowledge of his superior genius and abilities. The splendor of a great genius is offensive to men of narrow and mean understanding. His intuitive eye would pierce too far into things not fit, perhaps, to be seen at all, much less to be viewed narrowly by an accurate observer. He joins to an infinite fire of imagination and brilliancy of wit, a cool and solid judgment, a wonderful capacity for business of every kind, the most intense application to it, and a consummate knowledge of the great commercial interests of this country, which I never heard were before united in the same person. Such a man can never be suffered by a *weak minister* to rise to any very considerable degree of power or influence. If such abilities as he possesses should bear him through, it must end in the minister's ruin.

I have not done with the *Auditor's* list, though I shall at present dwell a very little while longer on it. He says, that *he has barely done justice to the characters of those who fill the first departments of the state. Let the most inveterate dealers in calumny single out one of them, and then point out a moral turpitude in his conduct. If they cannot do this, &c.* Now I will keep just to the windward of the law, and will affirm that the *public records* of the courts of justice of this kingdom bear testimony to the falsehood of this assertion. Yet with a candour unknown to the *Auditor*, I will be free to own, that what I dare to allude to is not a transaction which would blast the reputation of a man of honour. I speak now according

to modern ideas of *honour* and *gallantry*, and he knows that I allude to *more than one* fact of very *immoral turpitude*, established on oath in a long course of judicial proceedings. Any man who has lived in the world will immediately, on casting his eye over the names of the worthies given us by the *Auditor*, recollect an hundred entertaining anecdotes to be parcelled out among the proprietors of that list, and will despise a venal scribbler, who can prostitute his pen to so infamous a purpose. This extravagant encomium is in reality the most bitter invective I have read, excepting only the following cruel satire on the whole body of the English nobility. *The person, who has exhausted all their calumny, is perhaps the most distinguished of the nobility for integrity of life, for the enlargement of his understanding, for the feelings of humanity, and the unblemished honesty of his character.* If this really is the case, I wonder not that the *House of Lords* is of so very little consequence in this nation; I rather think it ought to be of none at all, and must sink into contempt. But surely the public has very little to do with the private life and morals of the minister: let him discharge the duty he owes to the state with fidelity and integrity (with capacity he cannot) and I will not follow him in his private hours of retirement. Whether they pass in the most trifling amusements, in the wonderful disquisitions of a little genius on *cockle-shells, flowers and plants*, or in the hidden, gloomy recesses of guilt, shall not be my enquiry.

As I am to keep company with the *Auditor* this week, I shall take notice of a trifling charge brought against me by him some time ago. He says, *with a proper distribution of asterisks (for that, let me tell you, is a nostrum for applause, people strangely admiring what they do not understand) you may insinuate, to the bitter cost of a certain nobleman, who that somebody is; and afterwards he adds, I would have you choose some piece of deep scandal; recollect all that has ever been charged upon favourites, then dispose your asterisks ******, and thus the business is done. I do not mean to tire my good friend the *Auditor*; it will not take him up much time; but I will beg him to count them, and tell me how many *stars* he has found in all the numbers of the *North Briton*. I despise so pitiful an evasion. The laws of my country are my protection; my only patron is the PUBLIC, to which I will ever make my appeal, and hold it sacred. I would not use any *stars*, though I could dispose them as judiciously, and in as proper numbers, as that amazing comic genius *Tristram Shandy*; unless indeed I meant them to the same comic purpose.

Numb. XXI. Saturday, Oct. 23, 1762.

Semper ego AUDITOR tantum, nunquamne reponam?

Still shall I hear, and never quit the score?

JUVENAL.

AS the attack which was made on the 30th of September by my good friend the AUDITOR, on a gentleman of known reputation, took its rise entirely from a supposition of that gentleman's being concerned in this paper, and consequently opposed to falsehood and the AUDITOR, we think it our duty to take every occasion, which offers, of giving the injured party the most public opportunities of vindicating his innocence, and exposing to general contempt a writer, who hath, in the most positive manner, asserted facts, which, when called upon, he hath not even attempted to prove, and broached a rank and infamous falsehood, which he hath neither courage to maintain, nor honesty to acknowledge. Two reasons there were indeed which induced us to wish that this affair

affair might not have been canvassed, that it might be considered as the lie of the day, and, like many other instances of the AUDITOR's happy invention, been wholly disregarded. The one was the character of the gentleman at whom the slander was pointed, and the other the character of the writer by whom it was directed. All who knew the first, must immediately have declared him incapable of such behaviour; and all who knew the last, must have acknowledged him capable of saying or doing any thing which was disingenuous or mean. On these accounts it was impossible the story should ever meet with credit; and therefore we could have wished it had passed unnoticed; but since our correspondent is of a different opinion, and a strict and delicate sense of honour determines him to make as public a vindication of his innocence as the nature of the case will admit, we with great cheerfulness insert the following genuine letters.

To the Rev. Dr. BURTON, Head-Master of WINCHESTER-COLLEGE.

S I R ,

WINCHESTER, Oct. 19.

I AM really sorry that it is now become necessary for me to make *another* application to you in relation to the charge supposed to be brought against me in the AUDITOR of the 30th of September. The name of a young gentleman* under your care has been publicly made use of to give sanction to a falsehood, and to blast a character, which I have to say, not the slightest stain of dishonour has ever spotted. I am conscious of the most perfect innocence as to every article of this charge, and I desire that the proof of this may be as public as the accusation has been. One natural and obvious method of coming at the truth is certainly by an examination of the youth himself. I beg most earnestly that this may be in the presence of yourself, and the young gentlemen of the college; and, being thus accused, I should hope to be indulged with being at the examination. I am satisfied that the young gentleman will not to my face advance so gross an untruth, as that he has had *one moment's conversation* with me, since *Sir Francis Dashwood* left Winchester in the spring. *Sir Francis* will do me the justice of telling the world, how civil and obliging, and how becoming us both, were the very few conversations we had together, and they all passed in his presence.

Give me leave, Sir, to remind you, that a very few weeks ago a complaint was made to me of an insult offered to the young gentlemen of the college by some soldiers of the *Buckinghamshire* regiment, which I have the honour of commanding. I made the most immediate enquiry, and found the complaint to have been well founded. I ordered a very exemplary punishment, which was in part inflicted; the rest, at the request of yourself and the young gentlemen, was remitted. By my express orders pardon was asked of the college in a public manner. I hope, that injured as I am, I shall be indulged in the request I make of an enquiry into so heinous a charge brought against me, and said to be supported by a young gentleman under your care. Truth and justice make this strong claim for me, and from the fairness of Dr. *Burton's* character, I am persuaded that he will not suffer the least failure of justice, and that I shall meet with the only two things I ask, candour and impartiality.

What I have proposed, must, I think, strike a sensible mind as a probable method of finding out the truth. That evidence would be *direct*; the *collateral* evidence is as full as I could wish. Dr. *Brocklesby*, physician to the army, has given the strongest written testimony in my justification. I inclose his account of a strange political dialogue, which passed in the bookseller's shop here, at which only the young gentleman, the doctor, and the bookseller were present. I believe this gave rise to the *fable* in the AUDITOR. The evidence of the bookseller will be found as express as the doctor's; no other person, by both their accounts, was present. I am most anxious for the examination of the young

* A Son of the earl of But.

gentleman in any manner you chuse (but I hope that it will be public), because it is whispered that he affirms some of the particulars of the charge, which the *Auditor* has so finely cooked up. I declare upon *my honour*, that every particular of the charge is false. I will now just hint what I imagine, from all I have heard, is the real state of the fact. The youth has very frequently in the bookseller's shop abused me in the grossest terms. He knew so little of me, as to be afraid, if I heard of his behaviour, that I should complain to you; and he dreaded the punishment he thought must follow. To save himself he has invented this curious tale, the falsity of which in every particular he knows better than any body. If this should appear to be the case, as I am persuaded it will, I will venture to say that it will give the noble lord his father more real concern than all the papers together, which have been published against him for the last twelvemonth.

You, Sir, have with so just applause formed the tender minds of youth to the noblest principles, and with such success have sown the seeds of virtue and honour, that I need not say how dear and precious to a liberal mind *good fame* is. The fairest virtue cannot escape calumny; but every man who has it in his power, is, by what ought to be the most cogent of all motives, a strict regard to justice, called upon to vindicate injured innocence.

All the papers I have referred to are inclosed. I beg you to peruse them at your leisure, and afterwards to return them to me.

I am, with great respect,

S I R,

Your most humble servant,

JOHN WILKES.

TO COLONEL WILKES.

S I R,

WHEN I had the honour of seeing you in my lodgings, I acquainted you with my resolution, that I would not concern myself in the affair: at the same time assured you I would not read any public papers relating to it. I have the honour to be with the greatest regard,

S I R, your most obedient humble servant,

Tuesday Morning.

JOHN BURTON.

However willing we shall be, on all occasions, to comply with the desires of our correspondents, we cannot by any means agree, *as aspired*, in the present case, to lay these letters before the public, and leave each reader to make his own observations. We would not even wish to prevent our readers from having their opinions, but we never can consent to be tied up from giving our own.

Through the whole letter to the Master of Winchester college, there is a nice sense of honour, a proper spirit of resentment, and that earnest desire of an explanation, which truth is as desirous to obtain, as guilt and falsehood are careful to avoid. The request of a meeting with the young gentleman, under the circumstances there mentioned, is highly reasonable; it is what the injured party certainly has a right to expect, and what the master could not for any good reasons refuse; to which indeed we impute the beautiful brevity of his epistle, the general terms in which his refusal is couched, and the peremptory manner in which he shuts up every avenue to a fair and open explanation. I should be glad to know what the cautious and discreet master of that College would have thought, if, on his complaint against the soldier, the colonel had given an answer in his own way, and had positively told him, in his own words, *that he would not concern himself in the affair*. This I think is nearly a similar case. The person supposed to have raised this story laid the scene of it
in

in a place and at a time when he was immediately under the direction of the master, and accountable to him for any misbehaviour. On what principles therefore he can avoid taking cognizance of the affair I cannot see, unless he considers himself appointed only as an instructor in languages, as one who has no charge of the heart, nothing to do with the morals of his pupils, and equally unconcerned whether they tread the paths of honour, or give themselves up to vice and meanness. Had the meeting required in this letter been agreed to, and let me say the honour of the young Gentleman himself, *if innocent*, seemed loudly to demand it, the first rise and whole progress of this affair had been laid open, the public had been satisfied, the innocent cleared, and the guilty given up to that contempt they deserved: but since this is denied, we shall venture to give our opinions of the whole transaction, and of the persons concerned.

The young Gentleman, with a spirit which, every thing considered, is perhaps not to be disapproved, had thrown out much abuse against *Colonel Wilkes*, and either through fear of punishment, as our correspondent candidly intimates, or through a youthful warmth of disposition, and a desire of acquiring the reputation of resolution, invents a conference which never passed, substituting *Colonel Wilkes*, in the place of *Doctor Brocklesby*, and adapting circumstances to that ingenious transformation.

The AUDITOR (whose connexions with all the great families in the kingdom give him an opportunity of coming at private anecdotes) heard a plain, simple, and unvarnished tale; but having been charged by us with want of invention, determined at once to prove the falseness of that charge and gratify his malice. The decorations of the story therefore we may with much reason place to his account. The original falsehood, which was the ground work of all, is perhaps the property of the noble youth; the many incoherent fictions which were raised upon it, are probably embellishments added by the AUDITOR for his own credit.

Colonel Wilkes, conscious of his own innocence, immediately took the alarm: he made a public declaration of his innocence; he called upon the AUDITOR, but in vain, to bring proofs of his assertion; he appealed to Sir *Francis Dashwood*, with relation to his behaviour to the gentleman some months since; he called upon *Doctor Brocklesby* to declare what he knew of it, who with all that honest readiness which became a man of honour, not only exculpated him, but gave a probable account of the rise of the fable; he even dared, which nothing but conscious innocence would have dared, to appeal to the bookseller who lived on the very spot, who was declared by the young gentleman himself, to have been present during the conversation, and who in the strongest terms bore witness to the falsehood of the charge; and lastly he begged, which I think he had a right to insist on, to have a personal meeting, and to be brought face to face with his accuser. But this the prudent Master thought fit to refuse. It doth not appear indeed, either from *Colonel Wilkes's* letter to Dr. *Burton* or from his answer, that any reasons were given for that refusal. I must however have too good an opinion of a gentleman, placed at the head of *Winchester* school, to think that he acted without reason; his very situation implies *understanding*, though we have *formerly* met with some instances where it did not include *integrity*. The interest of his school, as well as the honour of his pupil, seem to exact a very different behaviour from that which the Doctor pursued, and yet I cannot believe that a master of *Winchester* school could act without reason. I am afraid indeed, that in these considerations I have overlooked the most material point, and thinking only of public concerns have forgot that the Doctor had a private interest of his own, which, however, I have a saving faith, the Doctor will never forget. He will ever distinguish between persons in, and out of power; between a Colonel engaged in the barren cause of Liberty almost alone, and a favourite with a troop of slavish courtiers at his heels, and bishopricks at his command. Motives of this kind prevented the clearing up this, as they

they have many other affairs of a like nature, and such considerations prevailed, for such only they could be, as interest might suggest, but honour would always despise.

Numb. XXII. Saturday, Oct. 30, 1762.

Versus inopes rerum, nugæquæ canoræ.

HOR.

Words void of sense, high wrought with trifling sounds.

AS our attention to the AUDITOR hath too often drawn us from our original design, and considerations of a public nature have been suspended for matters of private concern, we shall once more trespass on our political reader, though with much better reason, and introduce to his acquaintance those muses, whom modern bards have taught us to consider as strangers to every thing which passes in the world, as exiles from the cabinet, and fit only to wander in shady groves and flowery meads. The * gentleman to whom we are obliged for the following poem, seems to think very differently; and as we know no one who is better acquainted with those ladies than himself, we shall certainly pay great respect to his judgment, especially when we have so good a proof of it, as that which we now present to the public.

It hath always been customary, and never with greater reason than at present, to consider *the birth of a prince* as a national blessing, as a cement of love and duty betwixt the king and his people, and a pledge of their future happiness to succeeding ages. In consequence of this opinion we always find addresses flying on such occasions to the throne from every part of the nation, assurances of fidelity and protestations of joy are given in all the pomp of laboured language, and with all that awful form which such a solemnity requires. The common dull multitude are contented with humble prose, and satisfied if they speak so as to be understood, and to express the warmth and sincerity of their affection; but from our two universities, those seminaries of true virtue and sound learning, those bright and glorious luminaries of the literary world, something more is required, something of a sublimer nature, something which may shew their superiority over the vulgar herd, and for this end the muses are called in to consecrate their offerings.

On these occasions we have often seen, and not without great concern, whole pages together cold and fulsome; the dull mechanical part of *versmanship* indeed is found, but the spirit of true poetry is wanting; and, every thing considered, how should it be otherwise? In *one* of these seats of learning the muses are looked on with an evil eye, and in *both* persons are from situation compelled to write, who are chilled by age, who either were never acquainted with poetry at all, or have for many years bid adieu to it. Hence, and for some other reasons, which our reader's penetration will naturally suggest to him, this poetical tribute is scarcely worth the acceptance of the prince, and reflects but little credit on that respectable body by whom it is presented. To remedy this is the design of the present poem, in which the heads of colleges may learn once more the rules of verses, may see and rectify former mistakes, and make their next offering worthy the acceptance of that great personage whom they mean to congratulate.

In spite of some little severity which our poet shews in the following performance, we must think his observations generally just; but there is one thing,

* Robert Lloyd, Esq.

which

which he hath not taken notice of, undoubtedly calculated to give every lover of literature true pleasure. In these collections we often see the names of NOBLES affixed to particular copies, and from thence may rest assured either that they have not forgotten to write, or, if they have, are unwilling that the world should know it.

As a NORTH BRITON we cannot help observing the presumption of the poet, who has included our *Scottish* universities, and dared to prescribe rules to men who are fit to give law to the world, ignorantly considering our great seminaries as on a footing with those antiquated names, OXFORD and CAMBRIDGE. Our taste for poetry is well known, and such performances we could produce as would stagger credibility. We must caution our reader therefore to consider every thing in the following piece which is pointed against the *Scots*, as the effects of prejudice and poetical fiction; and to justify him in this opinion we shall hereafter, in a dearth of politics, present him with some compositions lately transmitted to us from that nation, which will shew them as far superior to the English in poetry, as in every other respect.

THE POETRY PROFESSORS.

OLD ENGLAND has not lost her pray'r,
And GEORGE the good has got an heir.
A royal babe, a PRINCE of WALES.

—Poets! I pity all your nails—

What reams of paper will be spoil'd!

What *graduses* be daily foil'd

By inky fingers, greasy thumbs,

Hunting the word that never comes.

Now *Academics* pump their wits,

And lash in vain their lazy *tits*;

In vain they whip, and lash, and spur,

The callous jades will never stir;

Nor can they reach *Parnassus'* hill,

Try every method which they will.

Nay, shou'd the *tits* get on for once,

Each rider is so grave a dunce,

That, as I've heard good judges say,

It's ten to one they'd lose their way.

Tho' not one wit bestrides the back

Of useful drudge, ycleped hack,

But *fine bred things* of mettled blood,

Pick'd from *Apollo's* royal stud,

Greek, Roman, nay Arabian steeds,

Or those our mother country breeds;

Some ride ye *in*, and ride ye *out*,

And to come *home* go round *about*,

Nor on the green sward, nor the road,

And that I think they call an ODE.

Some take the pleasant country air,

And smack their whips and drive a pair,

Each horse with bells which chink and chime,

And so they march—and that is *rhime*.

Some copy with prodigious skill

The figures of a *buttery-bill*.

Which with great folks of erudition

Shall pass for *Coptic* or *Phœnician*.

R

While

While some, as *patriot* love prevails,
 To compliment a Prince of *Wales*,
 Salute the royal babe in *Welsh*,
 And send forth *gutturals* like a belch.
 What pretty things imagination
 Will fritter out in adulation!
 The *Pagan* gods shall visit earth
 To triumph in a *Christian's* birth.
 While *classic* poets, pure and chaste,
 Of *trim* and *academic* TASTE,
 Shall lug them in by head and shoulders,
 To be or *speakers*, or *beholders*.
 MARS shall present him with a lance,
 To humble *Spain* and conquer *France*;
 The GRACES, buxom, blithe, and gay,
 Shall at his cradle *dance the Hay*,
 And VENUS, with her train of LOVES,
 Shall bring a thousand pair of *doves*,
 To bill, to coo, to whine, to squeak,
 Through all the *dialects* of *Greek*.
 How many swains of *classic* breed,
 Shall *defly* tune their *oaten* reed,
 And bring their *Doric* nymph to town,
 To sing their measures *up* and *down*;
 In notes *alternate*, clear and sweet,
 Like ballad-fingers in a street!
 While those who grasp at reputation,
 From *imitating* imitation,
 Shall hunt each cranny, nook, and creek,
 For *precious* fragments in the *Greek*,
 And rob the *spital*, and the *waste*
 For sense, and sentiment, and taste.
 What Latin *hodge-podge*, Grecian *hash*,
 With Hebrew *roots*, and English *trash*,
 Shall academic cooks produce
 For present show, and future use!
 FELLOWS! who've soak'd away their knowledge,
 In *sleepy* residence at college,
 Whose lives are like a stagnate pool,
 Muddy and placid, dull and cool;
 Mere drinking, eating; eating, drinking;
 With no impertinence of thinking;
 Who lack no farther erudition,
 Than just to *set* an imposition,
 To cramp, demolish, and dispirit,
 Each true begotten child of merit;
 Censors who in the day's broad light
 Punish the vice they act at night;
 Whose charity with self begins,
 Nor covers others *venial* sins;
 But that their feet may safely tread,
 Take up hypocrisy instead,
 As knowing that must always hide
 A multitude of sins beside,
 Whose rusty wit is at a stand,
 Without a *freshman* at their hand;
 (Whose service must of course create
 The just return of sev'n-fold hate)

Lord!

Lord! that such *good* and *useful* men
 Should ever turn to books agen?
 Yet matters must be gravely plann'd
 And syllables on fingers scann'd,
 And racking pangs rend lab'ring head,
 Till Lady Muse is gone to bed:
 What hunting, changing, toiling, sweating,
 To bring the useful epithet in!

See No. XXVI.

Numb. XXIII. Saturday, Nov. 6, 1762.

Now call we our high court of Parliament,
 And let us chuse such limbs of noble counsel,
 That the great body of our state may go
 In equal rank with the best govern'd nation;
 That war, or peace, or both, at once may be
 As things acquainted or familiar to us.

SHAKESPEARE.

THE name of *Parliaments* is deservedly dear, and the meeting of them matter of reasonable joy to every true Englishman. The very mention of them recalls to our thoughts the noble ends for which they were established, and the various means by which, at different times and under different circumstances, our ancestors have happily obtained them. What glorious stands have they often made for liberty! How resolutely have they resisted, how successfully baffled, the daring attempts of arbitrary monsters! How often, and with what perseverance, have they pursued and brought to justice corrupt ministers, endeavouring in vain to screen themselves behind the throne! How ready, on the other hand, have we found them to support the dignity and prerogative of the crown in its due extent! How zealous to forward every good and national design! How unanimous in strengthening the hands of an upright administration! In the last point of view only we have had the happiness to consider them for some years. Blest with a king, who, born an Englishman, glories in the name, who considers the interests of his people as his own, who, possessed of their love, esteems it the brightest jewel in his crown, who approves himself the guardian and not the invader of their liberties, the rage of party hath been happily extinguished, and the names by which factions were known are almost forgotten. Never did monarch express greater satisfaction and confidence in his parliaments, and never had any monarch greater reason for it. Notwithstanding the insinuations thrown out by some pestilent movers of sedition, I trust that in the ensuing, as in preceding parliaments, we shall find the same good understanding and harmony, which alone has been the cause of our present happiness, and which alone can render it lasting. The very calling of a parliament is in itself a symptom of sanity in our state. It implies either that there are no just grounds of complaints, or that, if there are, the prince is ready to hear and to redress them, when that respectable body is assembled, who have an immediate right of laying their grievances before the throne.

As our affairs are now situated, when not only our present welfare, but our future prosperity, seems to turn upon a moment, when matters of the most interesting nature call for consideration, when business of the last consequence is to be done, and there is so little time to do it in, I will not, I cannot believe, that

that even that little shall be made less by the **prorogation* of parliament. Let the enemies of the administration pretend what they will, I must here be an infidel, I must consider it as one of those many lying reports which the sons of sedition industriously propagate, and with which they endeavour to embroil public affairs, merely to serve their private interests. What! on the eve of a peace, and of such a peace as must either establish or ruin us for ever, (for in our present situation, loaded as we are with an enormous debt, there appears no alternative,) shall the great council of the nation be postponed? True it is, that although they supply the sinews of the war, they have no right to make peace; but they have an undoubted right of examining into the peace when made, and if it shall be found dishonourable and disadvantageous, a circumstance well deserving serious consideration at this time, they have an undoubted right also of calling the advisers of it to a severe account. If the peace be such as redounds to the advantage of this nation, no matter by whom it is made. Scot and Englishman in that respect are the same, and matters of less consequence may remain to be debated afterwards at leisure; but if it shall be inadequate to our great successes, unequal to those hopes which we have justly formed of securing and enlarging our commerce, of straitening the enemy in their marine, and depriving them of those nurseries of seamen, which alone have enabled them to carry on the war, then let the advisers of it turn back to past ages, and, from the examples of others, learn to tremble for themselves.

If we enquire into the cause of that dissatisfaction which at present prevails, and examine the grounds on which the opinion of our having a bad peace is founded, at a time when we have all the right in the world to expect the peace to be good, we shall find a distrust of the present ministry either as to abilities or integrity, or both, to be the real source of this discontent. The word *favourite* hath been artfully buzzed about to inflame our minds, which, without any comments on it, are apt enough to take fire even at the name. The ideas which an Englishman forms on the very mention of that word are such as inspire him with suspicion: he looks back to past times, he there sees the fatal consequences which have arisen, when private affection hath taken the lead of public considerations, and he immediately applies it to his own time. However clearly he may see the right of the sovereign to appoint his own servants, yet when they are appointed to such offices as are of a public nature, he cannot, nor indeed ought he to be easy, if he thinks they are unequal to the places which they fill, and that the nation may be injured by them. As no people ever suffered more by favourites, we are the more excusable if we carry this point to excess, if our fears are sometimes quicker than reason warrants, and the event justifies: knowing how severely we have smarted from their lash formerly, we figure to our minds the same effects now. We are convinced of the truth of Shakespeare's observation,

That man that sits within a monarch's heart,
And ripens in the sunshine of his favour,
Would he abuse the count'nance of the king,
Alack, what mischiefs might he set abroad
In shadow of such greatness!

Our apprehensions immediately take the alarm, we fancy ourselves ready to become woeful instances of the influence of a *favourite*; we see his power, and we infer his inclination to do evil. Nor are these fears lessened when we consider the object of them as of a different nation; for, notwithstanding the Union, the rigid friends of Old England have not yet taught themselves to consider the Scots as the same people, and to compliment them with their places and preferments with a good grace.

* The parliament was prorogued to the 25th of November.

Another cause of distrust at this juncture is the influence of Tories turned courtiers. Whilst we could perceive the Whigs, those old and firm friends of the constitution and of the present family on the throne, standing in some degree of credit, and holding a share in the administration, we were tolerably easy in this respect; but now that the face of affairs is changed, and they seem to be in disgrace, on whom shall we rely? The *duke of Devonshire*, descended from a family, whose actions have done honour to their rank, well known for constitutional principles, untainted with base considerations of interest, a stranger to factious zeal, of acknowledged understanding, integrity and moderation, was to every true lover of his country a rock on which he might with confidence repose his trust, and justice might declare that he never would take a part in any action which was contrary to the interest of his country, or give the sanction of his name to countenance a corrupt administration. The security we are now deprived of, and him, whom we could with joy and confidence behold at the head of affairs, we see divested of all authority, but that which his own virtues will always give him. On whom then are we to depend? On those old enemies of liberty, those abettors of arbitrary power, those sworn foes of our constitution, the Tories? Forbid it, heaven! Consider them as bred up in the rudiments of treason, as continuing fast to the same tenets, even after they came to maturity, and were capable of judging for themselves, as holding their midnight assemblies, and secretly sacrificing at the altars of rebellion, as openly ridiculing the family on the throne, thwarting every measure taken for its establishment, and in the most perilous times sitting down inactive, and with their wishes assisting those who aimed at the ruin of the state, and whom they would no doubt have assisted in a more effectual manner, had not fear prevented. Are these men to be depended on? Shall we believe that they have changed their way of thinking? We may, when they can shew us any good and sufficient cause for such change, and point out the reasons by which they were convinced. Men of understanding quit not rooted opinions, which they have maturely weighed, examined and approved, in which they have persisted and justified themselves many years, without some strong and very convincing reason, which brings truth home then in a manner not to be resisted. But what reason can they produce, which they had not before tried and rejected? Suspicion therefore, whether well or ill founded is not the question, will suggest to us either that they have not changed their opinion, and only pretend it, more easily to accomplish the worst of purposes, or that interest alone hath worked the change in them. If the first of these is the case, it is obvious how much they are to be feared; if the last, it is plain how little they are to be trusted.

Another, and indeed the strongest reason for distrust, is a rumour lately spread by the emissaries of the disaffected, and too readily received by the multitude, that the chief direction of affairs is to be given into the hands of that person whom every man of honour despises, and every lover of his country is bound to curse: a rumour, which, if considered properly, carries its own refutation along with it! Is it possible that we should forget the means by which we were brought to the brink of ruin, entirely owing to him? Is it possible that we should be ignorant how universally he is hated, distrusted, and despised? Can we forget his breaches of private faith, and his abuses of public trust? His very enemies allow him great abilities, but will his warmest friends say that he ever employed them to any good purpose? The greatness of his understanding serves only to make the badness of his heart more formidable; and to render our apprehensions of him more terrible. Can we then think so meanly of the present administration, as to imagine they will ever join with such a man, much less that they will act under his direction? Prejudice itself can never believe it of them; and I with much greater pleasure, and a fuller faith, receive the report, that the administration of affairs is to be lodged, where every true *Briton* would wish it, in the hands of MR. FOX.

Numb. XXIV. Saturday, Nov. 13, 1762.

Et cantare pares, et respondere parati.

VIRG.

Equal in song, and ready to reply.

DIALOGUE OF THE LIVING,

Between Earl BUCHANAN and the Duke D'OSSUNA.

E. of B.

NOW, my Lord, the matter is thus—Your apprehension is very lively, and you will immediately conceive the force of my sentiments—The nation is in want of a *peace*, and a *peace* it shall have, if I have any influence; and your grace, as I mentioned to you within, is the person appointed for this glorious work—Your grace's parts, erudition, and extensive knowledge of the true constitution and interests of your country, clearly prove you the only person fit for so great a design—and for France, my Lord, more particularly, as your elegant address, the politeness of your manners, and your skill in—

D. of O. I did indeed once learn to dance, my lord; but politics, gravity, state affairs, the government of kingdoms, and many other mighty matters, have, I am much afraid, destroyed that ease and sprightly facetiousness for which I once was—

E. of B. Still, my lord, still publicly confessed the politest man in the kingdom: but let that pass—I detest flattery, and still will adhere to the honest sincerity of my country—Now to the point, my lord—Your grace is sensible that a *peace* is absolutely necessary—that it must be had—had on any terms—that the land-tax in particular is abominably heavy, though, thank heaven, your *rebellious, whiggish* counties pay by far the greatest, and most burdensome part—the nation ruined—beggared—undone by her successes—France flourishing—very flourishing---quite inexhaustible---the king of Prussia no soldier---a Cossack---a marauder---poor---very poor---PITT no orator---no statesman---a fellow that presumes to be a patriot and---

D. of O. All these points are very clear, my lord---I say it---You say it---Dick bullies *here*, and swears to it---What need of farther proof?---But this PITT and his damn'd faction raise such disturbances about the terms of peace, and use so many far-fetched arguments against giving up this, and giving up that---though we do not, yet those fellows in the city require reasons and proofs---But, my lord, with your instructions I will undertake to---

E. of B. You shall have them, my lord; and with them, what may you not undertake? You shall have them at full: I have committed them to paper for the instruction of future ages---If lord Clarendon had not written, in what darkness had we now been! Posterity shall write our panegyric, though faction and mechanics, and low-lived wretches who live by trade decry us---You have heard of the sugar islands, my lord---Martinico, Guadaloupe---

D. of O. I was once a great master of geography, my lord; but state affairs and politics, and the government of---The instructions at large, my lord---

E. of B. We have, my lord, in our quixotism, conquered six or seven little islands, where they make sugar and rum and such stuff---One was conquered in my,

my time---I am not to be blamed for it---I am not in fault---the turbulent pensioner concerted it, and I could not prevent it---He sign'd every single order about it---These islands are not worth one farthing, if we consider the real value of things---they increase our sugar-trade; that is granted: but sugar is a promoter of diseases and luxury---it makes many of these citizens rich and assume airs of consequence; the greatest of evils!--The great Dr. *Farquharson* is now writing a folio to prove it the source of all disorders; gout, stone, phthisic, sciatica, cholera, hot, cold, wet, and dry disorders---it is the strangest, the vilest of all compositions, filled with all the noxious particles of all the elements, and only capable of giving inspiration to a *Creolian Lord Mayor*---The sugar-cane is a paltry plant---Dr. *Hill* only recommends the great virtues of the sugar-stick itself, to be drawn out by inward suction, and, I own, so far nothing in this island can equal that plant, but the *Carduus Augustæ Benedictus*. Let us therefore give up all the sugar islands to the French; they will grow enervated, and full of all those contradictory, hard-named disorders, so that our posterity will be able to kick them through the world, if they should ever wink at us.

D. of O. Time flies very fast, and the mighty French peer, my lord---

E. of B. I understand you, my lord---the rest of the instructions---Now for Canada, a miserable, wretched country; we must keep it; we must sometimes gratify the mobile: they get furs there, my lord---to use furs for warmth is surely a scandalous invention! In Scotland, my lord! we have hardly such a thing: if any lady there be so nice as to require artificial warmth, we have cats and dogs for the purpose. Thus we encourage our native manufactures; and the delicious roughness of those animals skins promotes that friction which---But such delicacy is rarely found in our hardy, naked-thighed country---Let us avert this plague---They shall have Louisiana, a noble country! they shall cheat Canada of its fur trade; and thus, without drawing on ourselves the least odium, we shall defeat the malice of our enemies, banish this unnatural effeminacy from our nation, and throw it with double weight, in conjunction with pernicious sugar, on the constitutions of our enemies.

D. of O. But surely, my lord, humanity should prevent---

E. of B. They shall have them, and they shall be crippled with the gout and a legion of other disorders.---We have some provinces in North America inhabited by merchants, planters, and a thousand various species of mushrooms---they are rich---too rich---very rich---their trade promotes ours---they ruin their mother-country---we abound in trade, we must clip it my lord: we must act like skilful-gardeners, and prune the luxuriancies---We shall cure this evil also; we shall leave the French at their back; they will leave them no time to plod on in the inglorious road of riches. Besides, between you and me, the seat of empire may be transferred, if they grow too powerful and America give laws to the universe---That shall not happen while I am at the helm, if the French incendiaries in their rear are of any effect. It is a great rule in politics, that colonies and dependent countries should be kept poor; not to raise their heads or wag their tongues, lest they should spit at their mother country.

D. of O. I am convinced of the justness of such politics: your lordship well knows that was the foundation of my conduct in Ireland, by which I acquired so much glory.

E. of B. As the first of viceroys, my dear lord---Chesterfield was beloved; that is nothing;---you were revered and dreaded. Awe and fear are the real marks of esteem.---Our conquests in the East-Indies signify not a bawbee; spice, china, arrack, and all their other commodities are worse than nothing; pimps to luxury and nourishers of wickedness. The East India company indeed may cry out: let them cry out; they are haughty merchants, and too rich already---We will give them all up---Saltpetre is the chief ingredient in gunpowder, gunpowder is used in war, we hate war, therefore we must hate the

the trade that furnishes us with it; and that trade is the East-India trade; and therefore we must——

D. of O. My Lord, the time---

E. of B. As I was saying---indeed, my lord, you have spoiled my argument: quite spoiled the connexion---I have been at it all this morning---It is called a Sorites, my lord, and requires infinite clearness to deduce such a long chain of---

D. of O. The instructions, as you say, my lord, are pretty long; but I shall remember them---We are poor---ruined---beggared---sugar is---

E. of B. I have not been deceived in my choice. Your grace is endued with great quickness of penetration---But to recapitulate all---We are ruined and undone; our trade is too great, and our merchants too rich: these may seem contradictory to the vulgar, my lord, but you see clearly the logical distinction. We want peace---we must have it---The French are inexhaustible---they will destroy us entirely---we shall perish like Pyrrhus or Gaston de Foix---We are tormented by factions---half the subjects of this part of the kingdom are traitors---we nourish a brood of vipers in our own bosom---our colonies are too flourishing---trade in too great an extent has been our ruin---the Benedictines must have their fish; aye, and so must the Bernardines---the French must prick the quakers of Pennsylvania in the backside; they must, and others too, to banish riches and indolence---sugar, furs, china, arrack, saltpetre, shall be banished from my commonwealth: I will imitate Plato in this as in other things---these are the arguments for our peace, and yet, clear as they are, these cockneys will presume to controvert and examine them---O! that I must be doomed to watch over the caprices of furriers, sugar-boilers, cod-merchants, planters, rum-distillers, freighters, importers, and haughty *East India* directors!

D. of O. I am persuaded, my lord, when they hear these arguments so clearly stated, not one of them will murmur---they know their own interests, and must be convinced how safe they will be in your hands---

E. of B. My lord, you revive me---I began to have a little fit of the spleen, and to think of some unlucky consequences which may attend---but, my lord duke, they are not blind---they must, as you say, see their own interests---when this hurry is over, how happy shall we be in recapitulating these matters---I once had a design---and still will pursue---*Grotius* was a foreign fellow, who wrote about war and peace---shall we not join, my lord,---after your return, when this negotiation shall prove to the world our political talents, shall we not sit down and confute the blockhead?---Our *De Jure belli & pacis* shall live for ages, and be the test of true policy for our posterity.

D. of O. Your lordship may expect my assistance in every thing---*Grotius* is an ignorant puppy---one of the king of Prussia's privy counsellors, or some of his dirty hackney-writers, I presume---it is a nation of ignorance!

E. of B. My lord, it is time to depart---The *family compact* is nothing to us---three or four gentlemen of the first quality in Europe, and near relations, take it into their heads to be also very strict friends---nothing to us---as to the little trifling spots of the globe, Senegal, Minorca, Goree, Belleisle, &c. we may keep some of them, it signifies not which---the rest are intirely at your service to dispose of---remember, my lord,---trade the bane of our nation!

D. of O. I shall remember, my lord---we shall not be overburdened---your lordship's most humble servant.

Numb. XXV. Saturday, Nov. 20, 1762.

M. CATONIS splendorem maculare voluerunt, ignari quid gravitas, quid integritas, quid magnitudo animi, quid denique virtus valeret; quæ in tempestate sæva quieta est, et lucet in tenebris, et pulsa loco manet tamen, atque hæret in patria, splendetque per se semper, neque alienis unquam fordibus obsolescit.

CICERO.

They wanted to sully the virtue of M. CATO, ignorant how much gravity, how much integrity, how much greatness of soul, how much, in short, virtue avails, which amidst the raging storm is tranquil, and gives light in the dark, and though forced from its place, still remains firm, and adheres closely to its country, and shines always of itself, nor is ever polluted with the dirt of others.

ENVY and *calumny* have in every age been the attendants on superior *virtue*. The world has at all times been cursed with some evil and malignant spirits, who, instead of being fired with noble emulation at the great actions even of their own countrymen, have repined at their glories, and *wept* in the midst of the grateful acclamations of a whole people. The hero of *Milton* shed such *tears of virtue* at the view of the happy state of our first parents. Their next step is an attempt to ruin the prosperity, which they envy; or effectually to destroy all the noble fruits which would have accrued from any divine successes in which they had no share. In some instances, which could be mentioned from former periods of the *English* history, every mean art has been employed, and every dishonourable and reproachful method made use of, not only to disgrace and ruin the nation at that time, but to prevent posterity from blessing the memory of a great patriot, who wished to have entailed on his country dignity, wealth, and empire. I am sure the *sagacious* reader will immediately apprehend that I must mean to allude to the great duke of *Marlborough*, and the four last years of queen *Anne*, when the faction of the *Tories* patched up the infamous, and, in the stile of that time, the *felonious* peace of *Utrecht*, (so inadequate to the successes of that war) the mischiefs of which we have ever since most severely felt. Almost every thing won from the *French* by the wisdom or valour of a *Whig* administration, these vipers, bred and nourished in the bosom of our country, sacrificed to *France* from a lust of power, and the interested views of their faction, ever propitious and favourable to the designs of the *antient enemy of this kingdom*.

In great souls the virtuous deeds even of a rival or an enemy have kindled the same noble flame. After *Miltiades* had gained the battle of *Marathon*, *Themistocles* gave up all the dissipated pleasures of an irregular youth, and applied himself solely to public affairs, declaring that he could not sleep for the trophies of *Miltiades*. To this generous emulation in the career of glory his country was indebted for the important victory at *Salamis*, and in consequence for the preservation of the liberties of all *Greece*.

In little, narrow, selfish minds, the effect is directly opposite. Instead of covering himself with fair laurels, won in the cause of virtue, the vulgar wretch will endeavour to blast or steal others, which a generous mind would think almost equal to sacrilege. The conquest of *Martinique* was undoubtedly the honest fame and just applause of the late ministry; yet some of the present hackney hirelings (though so often convicted by the stubborn evidence of facts and dates) are still ascribing the whole merit of that conquest to the *Scottish* idol whom

T

they

they worship, though it is known that not a single order relative to that noble plan issued from any one of the *Scottish* faction. The *Havannah* likewise ought to have been in our possession many months ago. If the advice in writing of the 18th of *September* had been followed, not only a victorious wreath from *Spain* had decorated a sacred brow already adorned with *French* laurels, but what is of infinitely greater importance, the lives of many brave *Englishmen* had been saved to their families and their country. The real matter of the present quarrel with *Spain* subsisted in as full force in *September* as in *January*. Is not every man of sense in this kingdom convinced, that the present administration were indeed very short-sighted, and at last plunged the nation into a *Spanish* war for a trifling verbal dispute, almost entirely overlooking all the great matter of the most direct hostile tendency? The event of this war has been most fortunate, most glorious to *England*, and every circumstance concurred to give us victory. The enemy we had the most reason to dread, the *season*, proved favourable beyond what the annals of the western world can tell: yet when we recollect that there were only 2500 men of all the *British* troops left capable of real service at the surrender of the *Havannah*, as appears from the returns, we must congratulate ourselves on our amazing good fortune, no less than on the valour and intrepidity of the best troops, which were ever collected and formed in the *American* world.

One great source of *calumny* against the late minister has been the prosecution of the war in *Germany*. This objection is made to consist of two parts. The one respects the enormous expence of this war, in the manner it has been carried on; the other the fitness of engaging at all in *that* war. As to the first, I will only say that the money department was not that of the late minister, nor did he ever interfere in it. If the *German* contractors have defrauded this nation of the immense sums they are charged with, let those whose particular province it was to have examined and checked their accounts, bear the blame. Undoubtedly it does not fall within the province of the secretary of state for the southern department. As to the fitness of the measure, I will not now discuss that question. I shall only observe, that the first treaty with the king of *Prussia* was signed by Mr. *Fox*, who was then secretary of state, on the 16th of *January*, 1756, and was gloried in as the happy consequence of the *Russian* and *Hesse-Cassel* treaties. Every measure since that time, respecting the war in *Germany*, has been taken in full concert with all the administration, and in particular with lord *BUTE*; yet when this part of the war came to be thought unpopular, the odium of that measure was entirely thrown on Mr. *PITT*. I shall not forget with what wonderful eloquence the most intimate friends of lord *BUTE* harangued on this single topic at their private dinners, though only one * gentleman faintly opposed it in parliament; and there in a manner rather calculated to save a very particular character, than to give mankind the highest ideas of his zeal for the public. How big with expectation was the committee of supply in the last parliament, on the motion for 670,000*l.* to the king of *Prussia*, when Mr. *Job Charlton* in his spirited and shrewd way called upon Sir *George Lee*, who had risen indeed, not *there* to oppose the motion, but to go out of the house? A roar of laughter ensued, but no opposition was made to that motion. The confidence of mankind in *that* ministry was so great, that the largest sums ever granted by parliament passed in a whisper between a gentleman of the treasury and the chairman. The victory of *Rosbach* had demonstrated the zeal and firmness of the king of *Prussia* to the common cause against our most inveterate enemies, the *French*, and had endeared him to every true *Englishman*. He was no less the favourite of the prince than of the parliament and people, and *Leicester-house* was known, equally with *St. James's*, to approve every measure relative to the *German* war; for there had been the fullest participation, and approbation of all the

* Sir Francis Dashwood every session gave us the same beautiful annual flowers on the *Prussian* treaties.

counfels respecting that important point. Since the acceffion of our prefent moft gracious fovereign, it does not appear that there has been any change in the *German* fyftem. I rather fear that the nation will believe the prefent miniftry is more *germanized* than any this country has ever had; becaufe their greateft efforts have been made, and their real ftrength pointed, to fave *Hanover* and *Hefle*, in which they have fucceeded, but for want of timely and adequate fuccours have loft almoft all *Portugal*, an object of infinitely greater importance to this *commercial* kingdom. We have now for more than two Years been happy under his Majefty's mild and gracious government, but the *German* war has gone on juft as it did in the reign of his grandfather; and I appeal to the world, whether any event, but that of peace, was likely to bring the *British* troops back to their own country. The noble lords who moved and fupported that queftion the laft winter in the upper houfe, found that they made their court very ill; fome of them fmarted for the attempt, and all oppofition to that meafure was foon laid afide.

Another copious fource of calumny on Mr. PITT has been the pretended defection of the public at the moft critical period. I did not expect to have feen this urged after the great part Mr. PITT acted through the laft feffion of parliament. How nobly did he fupport the caufe of his country, and its firm ally, the king of *Portugal*, invaded, contrary to the *law of nations*, folely from his attachment to *England*? Did he at any one moment endeavour to fow the feeds of difcord, or to kindle the leaft fpark of faction? On the contrary, was not his manly eloquence exerted to ftrengthen the hands of government, to give refolution and fpirit to a feeble and irrefolute adminiftration, and to endeavour to fave *Portugal*, not by an ill-timed and penurious, but by the moft efficacious and adequate affiftance of every kind? His zeal for the public, his firmnefs, fpirit, and moderation, were no lefs admired, than the folid wifdom, deep policy, and heroic magnanimity of his counfels. His very enemies bear testimony to his patriotifm and greatnefs of foul under all the provocations of petulant, illiberal abufe, and on the moft trying occafions. I have the fatisfaction of hoping that through the next moft important feffion the public will reap the benefit of the cleareft head and of the moft upright heart. If this *juft* and *glorious* war fhould be terminated by an *equitable* and *glorious* peace, as we have reafon to expect from his majefty's moft gracious anfwer to the laft addrefs of the city of London, I am fure that meafure will derive the firmeft fupport from Mr. PITT. If the peace to be made fhould be *inglorious*, *inadequate* to the wonderful fuccelfes of his wife counfels, *difgraceful* to *England*, and *difhonourable* to her allies; if neither *fecurity* nor *permanency* fhould appear to be the great objects of it, but the feeds of future wars fhould be fown for ourfelves, and our pofterity, then I hope that Mr. PITT will ftand forth, pour all his vengeance, and point all his thunders againft thefe foes of his country, and bring them to condign punifhment. There is not, I am fatisfied, if fuch a cafe fhould exift, any power able to fcreen fuch *evil counfellors* from the refentment of a *brave* and *injured* nation, who would then be exasperated that their moft important conquelts, the purchafe of fo much blood and treasure, were given up to their ancient and perfidious enemy.

The laft topic of abufe I fhall now mention is, the late minifter's dictating to and magifterially controlling all the other fervants of the crown and all public offices. I never heard any proof offered of this, but the fingle word *guide* in a letter to a friend. It is not even pretended that he ever impofed any one creature or dependant on the board of *treafury*, *admiralty*, &c. or paid any low fycophant by places in the excife or customs. The proof refts fingly on his own expreffion in a letter, *no longer allowed to guide*; yet in that paffage it is confined to the * *meafures to be taken againft SPAIN, of the higheft importance to the honour*

* Thefe are the words of the letter.

of the crown, and to the most essential national interests. Spain is in the department of the southern secretary, and every dispatch to the court of Madrid must, if he had continued in that office, have been drawn up and signed by Mr. PITT, in direct opposition to what he even at that time clearly saw was the *honour* of the crown, and the *interest* of the nation. He therefore appears to have been under a necessity of resigning the seals. There is indeed in the *Letters versified*, a fine, florid harrangue of the *president of the council* against Mr. PITT, which would fully prove this charge: but unluckily Lord GRANVILLE has several times declared that the whole speech is pure invention, and destitute of all semblance of truth. Now I have mentioned the *Letters versified*, I will just take notice that the author of that pamphlet began the personalities of the present paper war, and invented the most shameful falsehoods, to which he dared to set some of the most respectable names of this kingdom. I now speak only of the personalities of the present paper war.

Personalities of a different kind took their rise from another quarter. Mr. LEGGE, the most accomplished financier in Europe, was dismissed (for he would not resign) solely from a personal pique of the present minister. He refused to pay a mean and servile court where it was expected, and could never be brought to lend himself to forward the ruin of liberty and whiggism, or to subject a great *English county to a *Tory* and a *Stuart*. Every man of common understanding, even so early, very clearly saw what the friends of liberty were to expect, when the *talons* were fully grown. The event has abundantly justified those fears; but I hope the most cordial whiggish union and harmony will now prevail among all the friends of their country. It is under so many repeated mortifications, the sincerest consolation to every Englishman, that there is now scarcely a party among the natives of this kingdom, almost every man in his station imitating the illustrious examples of the duke of Devonshire, marquis of Rockingham, and many other the true, free nobles of this envied but insulted country.

Numb. XXVI. Saturday, Nov. 27, 1762.

Corvos poëtas, et poëtrias picas,
Cantare credas Pegaseium melos.

PERSIUS.

Poetic crows, poetic daws,
As poets sing, and give us laws.

AS the season is now approaching, when the learned *universities* are to offer up their *sacrifice of thanksgiving*, and pay their poetical tribute to the throne, we shall, for their benefit, present the public with the remainder of that poem, the beginning of which was so favourably received some time since. We have long lamented, and in all probability, shall have fresh cause of lamenting, the wretched figure those ingenious societies make in poetry. That the muses should droop at Cambridge, where they are despised, where they have not even a *professor* to keep them in countenance, and where every method has been *illiberal* taken to drive them into banishment, cannot be matter of surprize; but, that Oxford should fall so very short in this respect, justly creates astonishment. There, the polite arts meet with that encouragement they deserve, and the

* This alludes to a mean and dirty transaction of lord Bute's, in favour of Sir Simeon Stuart, now one of the members for Hampshire.

muses are treated with particular civility. The truly ingenious Mr. WARTON hath repeatedly set an example; which, if it had been followed, this poem would have been wholly unnecessary. But, since that gentleman hath in vain pointed out, by his *own* writings, in what manner *they* ought to write to merit praise, the design of these lines (and I hope they will meet with better success) is to point out a remedy for their faults, by which, at least, they may escape censure.

In the present critical situation of affairs, which so loudly calls upon us to adhere to our original intention, we should not have deviated in this manner, but from an unexpected disappointment, arising from the fears of a printer, who trembled at the thoughts of imprisonment, and smarted under a severe, *private* reprimand. The like disappointments we have prevented for the future, and the public may rest assured, that whilst the *North Briton* is actuated with affection and fidelity to his KING, with love for his country, and is directed by those principles which naturally fall in with our excellent constitution, he will never tamely give up the glorious cause in which he is engaged; he will never be drawn away by the arts of a subtle man, nor intimidated by the menaces of a wicked minister; he will always be ready to stand forth for his king and country; and, according to the old English plan of liberty, will praise or censure any minister, according to their behaviour; nor shall the examples of any brother-writers prevail with him to desert the public, whilst he hath any right to suppose he can be serviceable to it.

THE POETRY PROFESSORS.

See Numb. XXII.

WHERE the cramped measure kindly shews,

It will be verse, but should be prose;

So, when 'tis neither light or dark,

To 'prentice spruce, or lawyer's clerk,

The nymph who takes her nightly stand

At some fly corner in the Strand,

Plump in the chest, tight in the boddice,

Seems to the eye a perfect goddess;

But canvass'd more minutely o'er,

Turns out an old, stale, batter'd whore.

Yet must these sons of *gowned ease*,

Proud of the plumage of *degrees*,

Forfake their *apathy* a while,

To figure in the Roman stile,

And offer incense at the shrine

Of *Latin poetry divine*.

Upon the throne the goddess sits,

Surrounded by her *bulky wits*;

Fabrics, *Cooper*, *Calepine*,

Ainsworthius, *Faber*, *Constantine*,

And he, who like *Dodona* spoke,

De Sacra Quercu, *Holyoake*;

These are her counsellors of state,

Men of much words, and wits of *weight*:

Here *Gradus*, full of *phrases clever*,

Lord of her *Treasury* for ever,

With liberal hand his bounty deals;

Sir *Cento Keeper* of the *Seals*.

Next to the person of the queen,
Old madam *profody* is seen;
Talking incessant, altho' dumb,
Upon her fingers to her thumb.

And all around are portraits hung,
Of heroes in the Latin tongue;
Italian, English, German, French,
Who most laboriously entrench
In deep parade of language dead,
What would not in their own be read,
Without impeachment of that *taste*,
Which Latin idiom turns to *chaste*.

Santolius here, whose flippant joke
Sought refuge in a Roman cloke:
With dull *Commirius* at his side,
In all the pomp of Jesuit pride.

Menage, the pedant figur'd there,
A trifier with a solemn air:
And there in loose, unseemly view,
The graceless, easy *Loveling* too.

'Tis here grave poets urge their claim,
For some thin blast of tiny fame;
Here bind their temples drunk with praise,
With half a sprig of *wither'd* bays.

O poet, if that honour'd name
Befits such idle childish aim;
If *Virgil* ask thy sacred care,
If *Horace* charm thee, oh forbear
To spoil with sacrilegious hand,
The glories of the *classic* land.

Nor sew thy *dowls* on the *fattin*
Of *their* pure uncorrupted Latin.
Better be native in thy verse---

What is *Fingal* but genuine *Erse*?
Which all sublime, sonorous flows,
Like *Hervey's* thoughts in drunken prose.

Hail! *Scotland*, hail! to thee belong
All pow'rs, but most the pow'rs of song;
Whether the rude unpolish'd *Erse*
Stalk in the buckram prose or verse,
Or bonny *Ramsay* please the *mo'*,
Who *sang* so sweetly *aw* his woe.

If ought, and say who knows so well,
The second-sighted Muse can tell,
Thy happy *lairds* shall laugh and sing,
When *England's* *Genius* droops his wing,
So shall thy soil new wealth disclose,
So thy own *thistle* choak the *rose*.

But what comes here? Methinks I see
A walking university.

See how they press to cross the *Tweed*,
And strain their limbs with eager speed!
While *Scotland* from her fertile shore,
Cries, On my sons, return no more.
Hither they haste with willing mind,
Nor cast one *longing* look behind;
On *ten-toe* carriage to salute,
The king, and queen, and *earl of Bute*.

No more the gallant *northern* sons
 Spout forth their strings of Latin puns;
 Nor *course* all languages to frame
 The quibble suited to their name:
 As when their ancestors *be-vers'd*,
 That glorious Stuart, James the First.
 But with that elocution's grace,
 That oriental flashy lace,
 Which the fam'd Irish Tommy Puff,
 Would sew on sentimental stuff;
 Twang with a sweet pronunciation,
 The flow'rs of bold imagination.
Macpherson leads the flaming van,
 Laird of the new Fingalian clan;
 While Jacky Home brings up the rear,
 With new-got pension, neat and clear,
 Three hundred English pounds a year.
 While sister Peg, our ancient friend,
 Sends Macs and Donalds without end;
 To George a while they tune their lays,
 Then all their choral voices raise,
 To heap their panegyric wit on
 Th' illustrious chief, and our North Briton.

Hail to the Thane, whose patriot skill
 Can break all nations to his will;
 Master of sciences and arts,
*Mæcen*as to all men of parts;
 Whose soft'ring hand and ready wit,
 Shall find us all in places fit;
 So shall thy friends no longer roam,
 But change to meet a settled Home.
 Hail, mighty Thane, for Scotland born,
 To fill her almost empty horn;
 Hail to thy ancient glorious stem,
 Not THEY from kings, BUT KINGS from THEM.

T H E D R E A M.

WHEN favourites their parties make
 To play the royal game of goose,
 Though they should answer each mistake,
 Their master hardly 'scapes abuse;
 And those who hold unworthy honour,
 Though grac'd themselves, disgrace the donor.

A mile or rather more from town,
 There liv'd a squire of peerless rank;
 Tir'd of my walk I laid me down,
 And fell a-sleep upon a bank.
 It would a crime in fancy seem,
 If poets slept without a dream.

A lily held the regal pow'r,
 (Good folks, I've had a precious dance
 To find the same imperial flower,
 You see it in the arms of *France*.)
 This *Fleur-de-lys* was brave and young,
 The darling theme of every tongue.

When (from I know not what affection)
 The *Thistle* grew in favour great,
 Had the king's ear, and whole direction
 Of all the officers of state.
 Fir'd with the fame of his renown,
Brier and *Bramble* came to town.

And at the court on public days,
 'Twas difficult to get along,
 So doubly lin'd were all the ways,
 With this same scrubby, prickly throng.
 FAMINE, you know, with hollow eye,
 Can't bear that PLENTY should be by.

And our new minister of state,
 Resolv'd to triumph o'er his foes:
 The *Thorn* and he were wond'rous great,
 But he could not abide the *Rose*,
 Pleas'd with the new-got toy of pow'r,
 He turn'd out this, and t'other flower.

Banish'd the *Laurel* with disgrace,
 And what made many people sport,
 To fill the *Laurel's* vacant place,
 Came broad-leaf'd co. fin *Dock* to court.
Bardana then with saunt'ring pace
 Came simp'ring up to thank his grace.

When a damn'd fly upon my nose,
 Which surely ow'd me no good-will,
 Wak'd me at once, and as I rose,
 Whom should I see but *doctor Hill*!

Numb. XXVII. Saturday, Dec. 4, 1762.

Cereus in vitium flecti, MONITORIBUS asper.

HORACE.

Waxen to vice, to ADMONITION rough.

ALMOST every man I meet looks strangely on me---some industriously avoid me---others pass me silent---stare---and shake their heads.---Those few, those very few, who are not afraid to take a lover of his country by the hand, congratulate me on my being alive and at liberty---They advise circumspection---for, they do not know---they cannot tell---but---the times---Liberty is precious---fines---imprisonment---pillory---not indeed that they themselves---but---then in truth---God only knows.---

My correspondents likewise, those who seemed most sanguine in the cause, who were the most ready to encourage and assist me in my undertaking, are tainted with suspicion and fear; and those letters which used to breathe the genuine spirit of *old English liberty*, are become insipid, tame, and languid. Caution hath got the better of every public virtue, and discretion is substituted in the place of true wisdom. Not content with thus basely flying from their colours themselves, they would tempt me to follow the infamous example; and as an inducement thereto, propose the consideration of my own safety. If, however, they expect their solicitations to have any weight, let them come forth from their fastnesses where fear hath entrenched them; let them no longer talk in the clouds, no longer satisfy themselves with general admonitions; but honestly descend to particulars, and declare the cause on which those admonitions are grounded. Let them point out, if they can, and if they dare, from whom, and on what account, I am in danger, before they produce it as a motive to affect my conduct; and plainly shall they prove that I have deserved punishment, before they shall oppress me with the fear of it. The laws, I am certain, are of no party; nor will I harbour one moment's doubt of those who are appointed to put them in force. Fear is the proper companion of guilt only; and I have not yet learned to call a sincere and uniform love of my king, and my country, by that name.

This humour of suspicion seems to have taken its rise from the confinement of some persons concerned in the *Monitor*; but how doth that affect the *North Briton*? In our opinions, perhaps, we may agree; in our mode of communicating them, we certainly differ; and with relation to consequences, stand wholly unconnected. Some writers in the *Monitor* have been taken into custody; and, for my own part, whatever may be the language of popular prejudice, I will suppose on substantial grounds. On a careful perusal of those papers, indeed, I have found nothing within the gripe of the law, according to my humble apprehensions; but I have happily taught myself the useful lesson, that those who are superior to me in rank, must, of consequence, be superior in understanding also; and that a great man can see farther into a millstone than one of low degree. But, besides this grand article of *state creeds*, circumstances all concur, and, I make no doubt, but the event will join, to justify the apprehensions of those gentlemen. The liberty of the press, that bulwark of the liberties of the people, is so deservedly esteemed, that every attack made on it is productive of danger. Punishments inflicted on even the licentiousness of it are unpopular, and have been attended with disagreeable consequences. It cannot then be imagined by any candid man, that at this juncture any step should be taken, which might be deemed a wanton, vexatious, and oppressive infringement

ment of that glorious privilege. The particulars of that procedure have not, indeed, transpired; but, till the contrary appears, it is a justice we owe to every administration, to suppose they have some reason for what they do. To take any man into custody, and deprive him of his liberty, without having some seeming foundation at least, on which to justify such a step, is inconsistent with wisdom and sound policy. If, upon examination, (which, surely, the common feelings of humanity would suggest ought to be as speedy as possible) that foundation proves weak, then to detain those persons, or to oblige them to give in bail, in order to obtain a discharge, which, under such circumstances, they have a right to do in the most free and absolute manner, is inconsistent with justice; and from thence I conclude, proceeding on the well-known wisdom and equity of the present administration, that we may now believe, and shall hereafter be convinced, that this step was warranted by weighty and sufficient reasons.

The abettors of faction, who, to promote their seditious designs, and sow discontent amongst the people, will say any thing, have undertaken to relate the particulars of this affair, and to account for some circumstances of it, tho' I suppose, no better informed than I myself am. They presume to point out the very papers complained of, and say (but *that---no---that we cannot believe*) the complaint was carried back against papers, written some months before; and from thence they form arguments and draw inferences, the mighty absurdity of which is evident to the most common reader. For---thus they talk---if that paper is criminal now, it was criminal at the first moment of its publication. Why then not taken notice of before this time? Because---thus, you see, these curious politicians are question and answer both---because it would then have served no particular purpose---but now, at this important and critical juncture, it might be of excellent use to stop the mouths of those who imagine it possible to love their country, although they exclaim against the minister; and who really sigh for a good peace, yet might be inclined to represent the false preliminaries handed about, as most infamous and injurious to England.

These children of disaffection have dared likewise to insinuate, that there is no intention of prosecuting* this any farther; that bail was given in merely for a colour, and to save appearances; that some private conditions are settled, (as now and then in more *public treaties* we have met with a secret article which has rendered all that was published of little or none effect) and that the terrors of a prosecution are to hang over their heads without being enforced. Shallow and impudent pretence! Will any minister lay himself thus open to censure? If there are no grounds of complaint, why were they obliged to give in bail? If there are, why should they not be brought to justice? To insist on bail, in the first instance, is an oppression of individuals: to drop the prosecution is, in the last instance, a desertion of the public: nor can I well discern, however different they are in degree, where, as to complexion, the compromising a misdemeanor differs from compounding a felony.

As little credit ought these malevolent spirits to meet with when they suggest, that passages to be found in history, and fairly quoted word for word, with considerations on the supposed preliminaries, and general thoughts on the peace, were the ground-work of this complaint.

Passages of history, of what nature soever, communicated to the public, without any parallel drawn, without any comment or application made, can never be proper objects of the law. Should this ever be the case, we must be cautious how we quote scripture in our sermons, lest our churches be turned into gaols, and our pulpits into pillories. It may be dangerous to talk of the differences between the children of Israel and Judah; and to say, that the former had ten parts in the *king* (when the latter had but two) and therefore ought to have been consulted, may be ingeniously construed into whatever crimes mis-

* No prosecution was carried on, and all recognizances are now actually discharged.

interpreters shall think fit. Not he, who merely quotes an historical passage, but he who makes the application, is the libeller. If ever the strong hand of authority should so far prevail over truth and reason, as to maintain the contrary, and establish a doctrine so novel and erroneous, we may then bid adieu to the liberty of the press.

Much less can we believe that to have considered the supposed *preliminaries*, and to have thrown out thoughts on the subject of *peace*, was made any part of a criminal charge. The *peace* deserves, and indeed demands, the serious consideration, for it is the near concern, of every individual. Where the right of making *peace*, and where the right of examining it, when made, is placed, we all know; but every man, surely, hath a right to have, and to give an opinion in an affair, where he himself is so materially interested. Should the *peace* be of such a nature, as to procure us those advantages we have a right to expect, and to provide every human method of securing them to us; where is the man who loves his country, that will not suspend all partial and narrow considerations to applaud those who were concerned in accomplishing it? But should it, which God forbid! prove of a different nature, and the seeds of a future war be left in it, where is the Englishman who shall be afraid to condemn it? For our own part, the reason we have not as yet entered upon that subject was, the uncertainty whether the *preliminaries*, as handed about, were true, and our hopes that they were not. For a full gratification in this point we have hitherto waited, and shall postpone our considerations on this head till that satisfaction can be obtained.

One thing, however, I cannot help observing, before I quit this subject, which is, the manner in which it is become fashionable to discourse on this head. Those who have little understanding, and those who have no integrity (no contemptible party for number and power) think that we ought to be satisfied, if the *peace* is much better than we could have expected at the commencement of the war. But this is nothing to the purpose. Our ancient and perfidious enemy forced us into a bloody and expensive (and give me leave to add, however unfashionably, a just and necessary) war, for the maintenance of our rights, and the recovery of what they had deprived us of. From that moment all the expence arising from the war, becomes a part of the original demand on them; and whatever places we take, ought at least, and with the most moderate, to be considered as so many places held as a security for their fulfilling the engagements entered into, but never executed in former treaties; for their adjusting the differences, on which the war was grounded in our favour, and for the repayment of those sums which we expended in bringing them to reason. But, in this case, I should venture to go one step farther, nor scruple to assert, that to have a *peace* adequate to our successes, we must see preliminaries very different from those handed about. All the places we have conquered are actually ours, and I cannot sufficiently admire the complaisance of the French, who are willing to cede, as they are pleased to call it, what is already in our possession, and what they have no prospect of recovering. Canada is at this instant as much ours as Gibraltar: and the rest of our conquests admit as little dispute. How far generosity may influence us, I cannot determine; but, I hope, we shall be just to ourselves, before we think of being generous to them. To what extent a prudential consideration of our own home situation ought to prevail, I shall hereafter examine; and shall only say at present, that how strictly adequate these supposed preliminaries are to our successes, will appear from the equality of what each party is to surrender to the other, as may be at one view seen by the following state of them.

Guadaloupe
 Mariegalante
 Desirade
 Martinique
 Right of fishing and curing on
 Newfoundland
 St. Peter
 Miquelon
 Pondicherry, and all their
 settlements in the East-
 Indies
 Gorée
 Belleisle
 St. Lucia

M I N O R C A.

Three Neutral Islands o o o

Numb. XXVIII. Saturday, Dec. 11,
 1762.

Paris, November, 1762.

When the king signed the ratification of the *Preliminaries*, he said to those about him, that *he had never written his name with more pleasure.*

All the foreign Gazettes.

IT is with the deepest concern, astonishment, and indignation, that the *preliminary articles of peace* have been received by the public. They are of such a nature, that they more resemble the antient treaties of friendship and alliance between *France* and her *old, firm ally, Scotland*, than any which have ever subsisted between that power, and her *natural enemy, England*. The *Preliminaries*, which were communicated by a *Scotsman* to the *London Chronicle*, and published so early as the 9th of *November* in that paper, gave a general alarm; yet, those published by *authority*, are, in many respects, less adequate to what *England* has *now* a right to expect. I shall only instance in two points, respecting the important article of the *Newfoundland fishery*. In the genuine preliminaries the French are not *excluded from fishing in the gulph of St. Lawrence*, as is asserted in the *London Chronicle*. On the contrary, Article III. expressly says, *His BRITANNIC Majesty consents to leave to the Most CHRISTIAN King's subjects the liberty to fish in the gulph of St. Lawrence, on condition, that the subjects of France do not exercise the said fishery, but at the distance of three leagues from all the coasts belonging to Great Britain, as well those of the continent, as those of the islands situated in the said gulph of St. Lawrence*: a grant, which, if they improve it, will turn out to be a grant of the whole fishery, unless our wise ministry will contrive to erect sea-marks, to be visible through the eternal fogs of those seas, and to have them guarded by the whole fleet of *England*. Mr. *Pitt* found himself so ill supported in the cabinet, and was so much over-ruled in some important points, that he did at length agree to leave this privilege to the French, for the sake of *peace* at that time; but the last year he declared in a great assembly, that he repented having done it, that it was worth while, even at the present great expence, to carry on the war another year, for the sake of preserving that fishery entire to *England*, and that if we made any future acquisitions of importance, he put in his claim, to be for an absolute exclusive right in this nation, and never would

would consent to admit the French to the smallest share of the fishery. The war has been carried on another year; we have since conquered Martinique, the Havannah, &c. we have recovered all Hanover, almost all Hesse, &c. our ally the king of Prussia is triumphant; yet the fishery is now in a worse state than it was by the former negotiation. That rock, St. Peter only, (for the fertile Miquelon was not included by the answer of England to the ultimatum of France) was ceded to France, on the express condition, *that an English commissary shall be allowed to reside there, and the commander of the British squadron at Newfoundland, shall be at liberty from time to time to inspect the said isle and the said port, to see that the stipulations above expressed, of no fortifications, no military establishment, &c. are punctually observed.* The *London Chronicle* says, that *Miquelon and St. Peter's are subject to the inspection of an English commissary, by the present preliminaries: but no such provision is to be found in them.* The only security the present minister has taken is (in Article IV.) the French king's *Royal Word*, so often pledged to this nation, and almost as often violated. I will just take notice that Miquelon seems to have been yielded to France merely from wantonness, or a ridiculous generosity: for in the *Memoire Historique* it is said, *the cession of the isle of St. Peter was accepted on conditions more than burthensome: the union of Miquelon to St. Peter, was of the least consequence, and the duke de Choiseul even assured Mr. Stanley, that such a cession would not be insisted on.*

According to the Preliminaries, now published by Authority, the cessions to be made to France were fairly stated in the last NORTH BRITON. The immense sacrifices we have made to the ancient enemy of these kingdoms seem neither to have arisen from necessity, nor to be warranted by any rules of sound policy. Almost all the glorious advantages we had gained over our most restless and perfidious foe, our ministers have given away; and in consequence of this weakness, or of this treachery, the trade and commerce of France will soon be in a more flourishing state than in the most prosperous times since their monarchy began, and ours in the same proportion will decline. Their sugar islands are restored to them greatly improved, by all the arts of English cultivation, very soon to rival, perhaps, to ruin, our own colonies. We have indeed, planted, but they are to reap the harvest. The *French king*, by a stroke of his pen, has regained what all the power of that nation, and her allies, could never have recovered; and England, once more the dupe of a subtle negotiation, has consented to give up very nearly all her conquests, the purchase of such immense public treasure; and the blood of so many noble and brave families. Is it therefore at all surprising, that on this occasion, the most frantic symptoms of insolent joy and triumph have been remarked in France, and of grief and dejection in England? What right have we to expect that an indulgent Providence will again in so distinguished a manner stand forth our friend, when we have thus wantonly given away to the enemy of our religion and liberty, the fruits of all the signal blessings heaven has poured down upon us?

This nation has ever been renowned for the bravest warriors, France for the ablest negotiators. Philip de Comines observes, b. 3, c. 8. *Jamais ne se mena traité, &c. In all treaties between the French and English, the French have shewn more dexterity and subtlety than the English; and the English have a proverb, as they told me formerly, when I treated with them, that in almost all battles with the French, they have had the honour and victory, but in all treaties, the loss and damage.* And again, b. 4, c. 9. *Et sans point de doute, &c. Without doubt the English are not so subtle as the French, for they go bluntly to work; but you must have patience, and never debate angrily with them.* In the great duke of Marlborough the two characters of a warrior and a negotiator shone forth with full lustre, and were united in the Englishman. He had often defeated the most renowned generals France could send into the field; and in 1709, he baffled all the arts, and eluded the finess of the two best negotiators Lewis XIV. could employ, Rouillé and Torcy.

In two great points particularly, the French have been superior to all the
Y policed

policed states of Europe. The one is the sowing divisions among the allies of a hostile confederacy; the other, a happy dexterity of making with infinite secrecy, politeness and address, the largest *private offers* to those, who have been in a situation and capacity of seconding their ambitious views.

The first was the case in the grand alliance at the beginning of this century. Lord Walpole says, *the superior genius of the duke of Marlborough made this principle a fundamental rule in all his conduct, and it constantly prevailed, and was attended with incredible success, as long as he remained at the head of the last grand alliance.* He speaks of preserving a perfect harmony between all the contracting powers; and afterwards adds, *the intrigues, and artifices of France had no more influence on the councils of the allies, than her arms had success in the military operations: the whole body seemed to be actuated by one soul, to such a degree, and with so good an effect, that a general peace, in all human appearance, as honourable, safe, and satisfactory to all the allies, would have been concluded, as the war had been conducted with unanimity and glory, but the humour some and ungrateful carriage of one proud WOMAN, &c. p. 127.* We have experienced in our times something very similar to what is related of the beginning of the present century, though I do not know of any *woman's* having now in the least broke into the great political line. I mean to say, that of late, by the *superior genius* of *one man*, the war in the four quarters of the world has been successful beyond the examples of all former ages, and the most entire confidence has prevailed, both among our people at home, and our allies abroad. By the *evil genius* of another man, which has issued forth, *black as the whirlwinds of the North*, distrust and dissensions have arose, and the firmest bonds of union have split, and been dissolved. *We were, as all the world imagined, just entering on the ways that promised to lead to such a peace, as would have answered all the prayers of our religious king, the care and vigilance of a most able ministry, the payments of a willing and obedient people, as well as all the glorious toils and hazards of the soldiers, when (as was observed by the wise lord---bishop of St. Asaph in the preface to his four famous sermons) God, for our sins, permitted the spirit of discord to go forth with the new minister, to embitter all our present enjoyments, and to blast all our future hopes.*

Upon the removal of the duke of Marlborough, the Dutch and all the confederate powers of that war withdrew all confidence from England. On the resignation of Mr. PITT the strongest assurances were given by lord *Bute*, then secretary of State for the northern department, to all the German allies, that the measures, respecting that part of the war, would be carried on with redoubled vigour; yet the world knows how little that declaration from him was believed, or trusted to. The preliminary articles speak pretty plainly the sentiments of the new minister. It is stipulated that some of our allies are to have their countries *restored* to them: the elector of Hanover, Landgrave of Hesse, duke of Brunswic, and even the count of La Lippe Buckebourg: though it is known at the moment of signing the preliminaries, the French were scarcely in possession of ten villages, and not much above an hundred acres belonging to all those princes together; but the king of Prussia's dominions, Cleves, Wesel, Gueldres, &c, which they now fully possess, are only to be evacuated; perhaps for Austrian troops to enter the hour after the evacuation: the declaration likewise, signed the same day with the Preliminaries, gives the French court a full liberty of paying all their arrears to their allies, under which colour the largest pecuniary succours may be given to the house of Austria, and the 13th article may be entirely evaded. England, on the other hand, is tied up from affording any kind of assistance to her allies, while France, whose revenues are now diverted no other way, is put in a capacity to give as ample aids as she chuses. Is so palpable an evasion as this consistent with the good faith for which the crown of England has ever been celebrated? Or, is it possible not to have been observed? In that case, we may hope to see it rectified in the *definitive treaty*; and this, to be sure, is the only idea of submitting the *preliminaries* to public view.

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“ To preserve Naples and Sicily for the king my grandson, or at the utmost
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Memoires de Torcy, tom. II. p. 237.

Numb. XXIX. Saturday, Dec. 18, 1762.

O ACADEMIAM volaticam et sui similem, modò huc, modò illuc !

CICERO.

O volatile UNIVERSITY, and truly resembling itself, fluttering now here,
now there.

Mr. NORTH BRITON,

YOU politicians of the town are so totally engaged in the transactions of the great world, that I suppose, you will hardly think it worth while to take notice of any occurrences, however important, that happen amongst the obscure folks of the country. Let me hope, however, for once, that the concerns of a private family, as they are considerable enough to have been the talk of two or three of our neighbouring counties, may find a place in your publication. They contain very ample instruction to all masters and mistresses not to be misled by the arts of crafty and intriguing servants; and as the nation itself is but a larger family, and the servants of that family are as apt to be corrupt as those of any other, my subject may, I think, in some sort be allowed to be of public use and application.

The family of the Wiseacres are of long standing in this county. It is agreed on all hands that they are, at least, as old as the days of king Alfred. About three months ago, the present lady Wiseacre* lost her late husband. The poor gentleman was old and infirm; and as his death had been some time expected, the news of it was received, even by her ladyship herself, with very little signs of grief and emotion. After enquiring whether he had left her any thing by his will, and being answered in the negative, she dropped all farther thought about him, and began to contrive how she might provide herself with another husband. This, you will allow, would have been a natural method of proceeding in a young widow; but must appear a little indecent in a woman of her ladyship's age and matron-like appearance. But such had always been the way with her. She had had more husbands than might have satisfied half the reasonable women in the neighbourhood. In short, she always made good use of her time; she never buried one, but, within three weeks or a month after his decease, she was married to another. There was something particular, likewise, in her method of conducting her choice on these occasions. She always referred the affair to the people of her family; and she made no scruple of taking to her bed whatever suitor had the majority of votes amongst them.

One of the first that was mentioned on the late occasion was lord Sapling.† He is a young nobleman of the best family in the country, and every way worthy of her ladyship's regard and affection. He had spent some years in the same house with her, when she seemed much pleased with his exemplary behaviour and very amiable disposition. He was a great favourite with many of the honest and disinterested part of her domestics; and her late husband was pleased to take particular notice of him, and once, in a very large company, and upon a very solemn occasion, protested that he had never seen a more hopeful young gentleman.

* The university of Oxford, founded by king Alfred.

† Lord Suffolk.

The next was lord *Safe* *. He is a very honest and worthy man, and withal a very prudent and wary one. He would have made a very good master of a family, especially in matters of œconomy.

But the person we are most concerned with, and whose character will require a more particular developement, is captain *Giddy* †. The captain was a sprightly fellow in his youth; and is remembered about twenty years ago, to have made a very good speech or two at some of your public meetings in London. From that time, however, the figure he hath made in the world hath not been much to his credit. The chief of his company, till within these two years, have been parsons and country 'squires. These used to lead him about to races, cock-matches, and country clubs, where he was apt sometimes to drink a little too freely. A course of life of this sort brought on a *swimming in his head*; so that he hath frequently been supposed not to be sensible where he was, or what he was about. Hence he hath been known in the late times of party violence, in the same sort of company, and within a few days of each other, to drink exclusion to the house of Hanover, and confusion to all Jacobites.

But the matter which bore hardest upon the captain's character was the cruel treatment he was guilty of towards his former wife ‖. She was a very honest country gentlewoman, and had brought the captain for her fortune, a very large accession of command and interest in the county, which had been long vested in her family. Her right to it, however, was contested, soon after the marriage by a younger lady, a mere stranger; who, by the contrivance of Mr. Doubletongue, the referee, and the shuffling proceedings of some lawyers at Westminster, found means to carry her cause against Mrs. *Giddy*. The captain hereupon bounced, and swaggered, and swore; and vowed that, before seven years were over, (in which time he should have an opportunity of bringing the matter again to a trial) he would have public satisfaction for such flagrant and public injustice. It was found however, before that time came, that the captain, notwithstanding all his blustering, had been drawn into, or rather had himself projected a most shameful compromise with the adverse party; and had agreed to divide the matter in dispute between them. To secure the execution of this scheme against all opposition, he determined to get rid of his wife. It hath been impossible to get to the knowledge of all the circumstances of this dark story. Thus much, however, is certain, that when a view was taken of the corpse in the county-hall, it appeared that it was all over full of *blue* and *green* spots ‡, with many other tokens of violence upon it: particularly a large *black mark* under the throat, in which, it was said, might plainly be observed the traces of the captain's own hand.

Perhaps, I ought to have told you before, that the captain had paid his addresses to lady *Wiseacre* at the same time she was courted by her late husband. His pretensions, however, for that turn, were easily set aside. To say the truth, Mr. NORTH BRITON, it was proved against him, that he was absolutely *incapable* of being her husband to any good effect §. The modesty of my pen will not suffer me to be too particular upon this part of the captain's history. I have hinted before that he was apt to keep low company. It happened one day that he dined in the next town with a club of taylor's, when the frolic was set on foot of *making him free*, as they called it; that is, of making him like one of themselves, which was immediately put in execution. This story soon got to the ears

* Lord Foley.

† Lord Litchfield.

‖ The Old Interest or Jacobitism.

‡ Alluding to the different coloured ribbons wore by the two parties, as badges of their affection to the cause they espoused.

§ There was a particular statute in the university, that no person who was a freeman of the city of Oxford, could be a member of the university; whereby it was determined, that lord Litchfield, who was a member of the taylor's company, was disqualified from being elected Chancellor. Very soon after lord Westmoreland's election, in order to remove this obstacle on another occasion, he had interest enough to get this statute repealed.

of lady Wiseacre; who vowed she would have nothing more to say to him, and that, as she deserved a whole man as well as any widow in the kingdom, she would not do so much injustice to herself and her family, as to be contented with the ninth part of one.

How the captain's matters, in this respect, were patched up afterwards, whether by tacking on again what had been snipt off, or by what other means, it would be difficult and tedious to relate. It is certain, however, that more than two years ago, he was pronounced a *good man* again by a great majority of lady Wiseacre's domestics; by some of them, perhaps, with a view of promoting his farther designs upon their mistress.

Having given a sufficient account of the three competitors, I shall hasten as fast as possible to the catastrophe of my story. The confusion and irregularities which had prevailed, for some years, in lady Wiseacre's family, required the hand of a vigorous and active master to correct and reform them. No house had formerly been more exemplary to the whole country for the great decency and order maintained in it: but, of late, things were much altered. The younger servants were suffered to run loose about the country. Not one in ten of them could say his catechism. Very few of them could read; and even those who ought to have read to them*, either could not, or would not do it. It lay, in a great measure, upon the upper servants to rectify these matters; and the time of chusing a new husband for lady Wiseacre gave them an opportunity of taking one main step towards it. We shall now see in what manner they made use of it.

Their old master was no sooner dead than Mrs. *Browne*, the house-keeper†, who is mistress of all that female wisdom called cunning, summoned together the head-servants§ in the scullery||, with the design of taking their sentiments on the face of affairs in the family; or rather with a view of dictating her own. After opening the business of the meeting;---“Look ye, gentlemen, says she, I will have nothing to do with that lord *Sappling*;---I will not be governed by a boy; and, what is still worse, I will not be governed by lawyer *Keene* ‡. You know very well, Mr. *Puff* ¶, said she, (speaking to *Peter* the pastry-cook) what a noise that fellow made some years ago, upon looking into one part of the accounts, and finding the paltry sum of *twenty thousand pounds* placed on the wrong side of the book**.” *Aye, aye*, says *Peter*, *I shall never forget it. No lawyers, no lawyers*. Immediately the cry of *no lawyers* ran through the company; and thus concluded the fate of poor lord *Sappling*, who, though the fittest in the world to do the lady's business, lost all hopes of success from the untoward circumstance of his being intimately acquainted with an honest lawyer.

“As for lord *Safe*, continued Mrs. *Browne*, we want none of his œconomy here. It would be little for the credit of lady Wiseacre's house-keeping to have the plumbs weighed out for the pudding, or a weekly view taken of the wine-cellar;—besides, I am not sure, that he is not upon pretty good terms with *another lawyer*.††”

“Turn your eyes, therefore, gentlemen, towards my noble captain. There's the man will fit us to a hair. If my lady marries him, he hath assured me, (for he called here this morning) that all things shall go on in the same quiet road. We shall have our turkey and oysters as usual, with the best turbot in the sea-

* The professors in every science, who have large salaries to read public lectures, but are so idle and infamous as not to do it.

† Doctor Brown, the present vice-chancellor.

§ The heads of houses.

|| A place called Golgotha; where the heads of houses always meet to consult about the business of the university.

‡ Dr. Blackstone, Vinerian Professor of civil law, and Principal of New-Inn Hall.

¶ Dr. Niblett, warden of All-Souls college, commonly called Puff Niblett, from his puffing and blowing whenever he speaks.

** A very few years ago Dr. Blackstone being chosen one of the delegates of the university press, inspected the accounts, and found there ought to have been in the chest twenty thousand pounds, not a farthing of which sum could be produced or accounted for, it having, as is generally imagined, been spent in feasting, &c. which work of iniquity he published to the whole university.

†† Lord Mansfield.

son by the Birmingham coach; and you all know, gentlemen, that the venison of Ditchly is as good as any in the neighbourhood." The very sound of turkies, turbots and venison, of *much to be eaten, and nothing to be done*, put a stop to all farther deliberation, and immediately secured the votes and interests of the whole meeting for the captain.

This was a very good beginning; but things might not have ended so well, had it not been for a countryman of yours, Mr. NORTH BRITON*, who, having cultivated an interest among the lower servants, and having some little design of his own to serve upon the lady, determined to drive them all into the assistance of the captain. Thus the game was secured for him, and he carried off his prize (for lord *Safe's* people were determined to stand it out) by a majority of almost two to one.

The wedding was celebrated at the captain's own house †, with such a profusion as had never been known within those walls. The claret was suffered to extend itself almost the whole length of the first table; there was some port at the second; and an enormous quantity of punch, which, according to the rule in Horace, had been NINE years in bottle, was distributed among the servants.

But, alas! amidst all this jollity, a cloud of melancholy was perceived to overspread the face of lady Wiseacre. She could not, without concern, observe the strange mixture of company which the captain had got together for her reception: and she began to conclude, from hence, that she was at length betrayed into the hands of those, who had always been the professed enemies of her and her family. These suspicions were but too truly the presages of her ensuing misfortunes. The captain, for near two years before, had spent great part of his time at a bagnio, near St. James's, and for reasons which may be easily guessed, was no longer possessed of that stock of athletic health and vigour which he used to enjoy when he resided more constantly in the country. It was likewise soon discovered that he married lady Wiseacre as much for the use of the *Scotsman*, to whom she hath been prostituted, as for his own. The effect of this complication of corrupt embraces hath shewn itself in the breaking out of blotches and blains all over her, to the utter ruin of the poor woman's constitution as well as her character. In short, those who speak out plainly do not scruple to affirm, that she hath caught the p—x from her husband, and the i—h from her gallant. She now subsists to shew, by her sad example, *that the most established female virtue may fall a prey to the most contemptible assailant, when assisted by the FALSEHOOD and TREACHERY of pretended friends.*

I am, Sir, yours, &c.

N. N.

* Alluding to the influence lord Bute had on some colleges, and his sending them a peremptory order to vote for Lord Litchfield.

† The Chancellor was installed at Ditchly, by a deputation of the members of the university.

Numb. XXX. Saturday, Dec. 25, 1762.

Venit hoc mihi, Megadore, in mentem, te esse hominem divitem, factiosum.

I have taken it into my head, my friend, that you are a rich, factious person.

IN all political disputes, the word *faction* is much in esteem, and generally applied to the weaker side, though, perhaps, there is not the least reason to justify that application. If by a *faction* we mean nothing more than a party formed in a state without any consideration had to the principles on which it is formed, the means by which it is conducted, and the ends to which it is directed; in this sense, the word is equally applicable to all parties, be their purposes good or bad, and comes entirely divested of that unfavourable idea, which usually attends it. But, if by a *faction* we mean, according to general acceptation, a set of men formed into a party on seditious and selfish principles, and determined, at all events, to oppose the friends and sacrifice the interests of the public to their own base and private views; in this sense of the word, it becomes us to be extremely cautious how we apply it. We ought fairly and candidly to examine both sides of the question, impartially weigh their several merits, and place it there only, where justice declares it to be due. If we regulate ourselves according to the directions of reason, we shall, I trust, on such an enquiry as is here proposed, find the word *faction* as often applicable to the greater number, as to the less, and shall have as frequent right to give it to the abettors of an administration as to the supporters of an opposition.

One sure and infallible *criterion*, by which every man may find out a *faction* with the most absolute certainty, is, the wicked art of sowing discord, and infusing of groundless jealousies among the people; whether directed against their old and firm friends, or their great and spirited allies. The first weekly political paper, which has appeared since the change of the ministry, and has been countenanced and paid by government, was the *BRITON*, who has abused, in the most indecent terms, his majesty's royal grandfather, our protestant ally the king of Prussia, the city of London, its first magistrate, and the *people of England*. This was the first wretch hired to ring the alarum bell of discord and sedition. The unwearied labours of some others, for the four last years, to blast the laurels of *one man*, we all remember; and what arts are made use of to inflame the people against him, ever since the *SCOT* assumed the reins of government. Let facts speak. Are we not now become an uneasy, distrustful, and divided people? And were we not a happy, confiding, and united nation, respected abroad, and blessed at home? Does not the present ministry occasion the greatest disunion and animosity ever remembered in this country? Are they not in the highest degree culpable of endangering the alienation of the best-intentioned subjects from the most gracious of sovereigns? Did not the late ministry preserve union and harmony in the nation; and had they not the confidence of the public in an unlimited manner? Whence has the change arisen? The progress of the present *daring exertion* of the new minister's *enormous power* is worth remarking. The first sacrifice to feed his proud arrogance, and to gratify his haughty and imperious nature, was Mr. *Legge*, that able and faithful *chancellor of the Exchequer*, who never presumed to present an account to parliament, without being able to give real satisfaction on every article in it, and was ever ready to answer even the *acute Sir John Philips*, on every part of the demand made on the public; though it might have consisted of above two hundred articles, and have

have amounted to upwards of 1,500,000^{*}. He was *turned out* solely from a personal pique of the minister. Mr. Pitt, and the noble lord, his brother, not very long after, quitted the administration, on their rejecting so wise and solid a plan of national honour, and indeed justice, that if it had been adopted, above half the destined victims of temerity and ignorance which have fallen at the *Havannah*, had now, in all human probability, been alive, to have shared in the late glories of their country. The next sacrifice was the old, faithful servant of the crown, the *duke of Newcastle*.—I will now only say, that the new minister, under the pretence of sparing unnecessary taxes on the subject, prevented that noble *duke*, who then presided at the *treasury*, from raising an additional million, which the public creditors, in every department of government, now clamour for from a treasury, which cannot, or will not pay them. The *duke of Devonshire* has likewise nobly disdained to suffer a name so auspicious to liberty, to be ranked among those of a *faction*, whose first view seems to establish the *despotism* his family has ever steadily and strenuously opposed. Mr. *Townshend*, whose superior abilities, and extensive knowledge, have been the admiration of mankind, is now in no employment under an administration of so black a cast, but stands as independant as unconnected with any part of it. It is remarkable, though not in the least astonishing, that of all the ministers, who, in the late and present reign, have carried the glory and power of this kingdom beyond that of all former ages, there is not *one* at present in the *cabinet*. Is not this the clearest evidence of *faction* in the new ministry? I do not mention Mr. *Fox*, on this occasion, as one of the ministers, who have carried the glory of England to such a stupendous height; because, after the loss of *Minorca*, the late king, in compliance with the wishes of a whole people, gave the reins of government into abler hands. Mr. *Fox* retired to a post not of ambition, but of avarice. Dead to every feeling of a public nature, the minister was lost to his country. The business of the *paymaster* was, indeed, very thoroughly attended to, and every agent, jobber, broker, contractor, schemer, &c. had from him the most fair and patient hearing. As to other things of trifling moment, he quietly and silently concurred in all the measures of government, even those of the *German* war, though he is now, after the *preliminaries* are ratified, *very ready to debate that question*†. Is not this avowing, that while it could be of any importance to his country, or of any detriment to himself, he chose to wave that debate; now, when it is merely a point of curiosity, this wary minister wishes, like an artful old sophist, to try the argument?

Do we not then discover clear marks of a *faction*'s having seized the helm of government? Are all the most able and successful ministers excluded? Who have succeeded? The creatures of a *Scottish faction*. The friends of liberty and the *revolution* have now no countenance but from the nation. The *Tory faction* is triumphant, and the most slavish doctrine of *passive obedience* and *non-resistance* is preached up by every pamphleteer, and to its full extent insisted upon by an all-grasping minister. Is there a man, who has been zealous in the cause of liberty, or who hesitates about the goodness of the preliminaries, who does not think them quite equal to the splendor of the war, and the immense value of our conquests? He is immediately disgraced. We were indeed promised, that in this parliament, under the halcyon reign of a *British* monarch, every man might vote according to the honest dictates of his conscience, without fear of losing the protection he is most ambitious of, or the smiles he most values. The king has nothing to ask of his people, but what their hearts and voices will concur in: a minister, for the support of *his* power, must have all *his* measures approved, and *his* security established by a *majority*. The occurrences of a few days open a new scene to us. Not only the most approved friends of go-

* Sir John Philipps, as usual, began the last session to nibble at the public accounts; but Sir Francis Dashwood, the new Chancellor, would not gratify so impertinent a curiosity. Sir John in vain catechised: Sir Francis was not so raw a Catechumen as to give him any answer whatever.

† This declaration was made by Mr. Fox in a great assembly, after the ratification of the *preliminaries*.

vernment in the senate, but in almost every part of administration, no longer find protection or favour. A life of forty and sixty years assiduity, with acknowledged integrity, in an important * office, have not been able to save a secretary and a comptroller; but they are ungratefully dismissed, and devoted as victims of the vengeance denounced against their benefactors, though confessed not only innocent, but highly meritorious. Is not this descending to the lowest dregs of *faction*? Are there not in such proceedings the plainest marks of low and selfish designs, and of the interested views of a despicable *faction*?

Faction likewise discovers itself in constantly keeping in view partial, selfish schemes, in opposition to the interests of the public. Thus, in the late negotiations for a peace, when it was asked, why it was not insisted that the fishery should be preserved intire to England, and if refused, the war be carried on another year; the answer always was, *we cannot raise the supplies!* Is not this the language of a self-interested *faction*? The honest answer is clear; *then you ought to resign to those, who can raise the supplies and carry on the war*, till we obtain what we have been promised, an *equitable and glorious peace*. A wicked *faction* only could purchase an *ignoble and inglorious peace*, by giving up to the perfidious *French*, and to the feeble and insolent *Spaniard*, our most valuable and important conquests. I will add an *insecure peace*; because, whatever restores *France* to her former power and capacity of injuring her neighbours, renders the *peace insecure* and infallibly draws on another war. *France* will now soon be in possession of all her sugar islands, those great sources of naval strength and of wealth, of the northern fishery, that nursery of seamen; and upwards of twenty thousand seamen are immediately to be given up, *unransomed*, to recruit her shattered, almost annihilated fleet, in order to lay the foundations of future rivalry of this nation. What ought to be ascribed only to the imbecillity or timidity of our new minister, *France* already makes a solemn mockery of to heaven, *Dieu, par sa bonté, ne permet pas, que la paix se fit au désavantage de la Maison Royale, & de la France.*

The language of *faction*, has always been remarkable; very plausible and specious, but full of treachery and falsehood. Thus the *BRITON*, of last Saturday, says, *Who ever dreamed that the boasted success of the French at Newfoundland should add a fresh wreath to the present minister's political garland? We could not imagine, that an unpractised minister should, almost in the twinkling of an eye, have recovered, without expence to the nation, without effusion of blood, that important settlement, to the loss, disgrace, and confusion of our enemies, in such a manner, that the loss was scarcely felt before it was repaired.* Now, that this is the language of falsehood and *faction*, will most evidently appear from these two clear proofs. The one is, that the ships which sailed from hence did not arrive till after *St. John's*, &c. at *Newfoundland*, was entirely recovered from the *French*. The other, that the American officers, before the receipt of any orders from *Europe*, attempted and compleated this great service. Lieutenant-colonel *Amherst*, in his letter to the Earl of *Egremont*, says, *According to the orders I received from Sir Jeffrey Amherst at New-York, of which your Lordship will have been informed, &c.* It is, therefore, most evident, that the loss of *Newfoundland* ought to be ascribed to the negligence of the new minister, and its recovery to the vigilance of the American officers, and in particular of *Sir Jeffrey Amherst*. I will only mention one fact, relative to the loss of *Newfoundland*, because it is not generally known. It is, that a fortnight before *Mr. Pitt* resigned, he insisted, that four ships of the line should be sent for the protection of *Newfoundland*. Such a succour, in all probability, had saved our merchants from a loss not yet, nor likely for some years to be, fully repaired.

I think it is now clear, from the principles and views, as well as the conduct and language of the administration, that the present ministry is a *faction* of a dangerous nature, and most mischievous tendency. An *opposition*, therefore, to measures, evidently calculated on one hand to restore our inveterate enemy,

* Post-Office.

France, to her pristine state of greatness, and on the other hand to depress the noble spirit of freedom, by inculcating the mean doctrines of the uncontrollable power, and *independency* of any single part of the British legislature, becomes the duty of every honest man, and every sincere lover of his country. It was, under such circumstances, at every period, undoubtedly the *duty* of a good man, now it becomes his *glory*; because he is likely in so noble a cause to be reviled and persecuted. Almost every friend of *liberty* and of *revolution principles* has retired, or been dismissed; and it is generally believed, that every person *brought in* by the duke of Newcastle, is now, by the present minister, to be *turned out*—except the *King*.

The NORTH BRITON presents his compliments to the AUDITOR, and returns his best thanks for the insertion of the letter concerning FLORIDA, signed VIATOR, in his last paper, and for the full credit he has given to the several facts it contains.*

* To the AUDITOR.

S I R,

“ A T a time when popular clamour is so loud, and prejudice so violent,
“ that the still small voice of truth can scarcely be heard; it is some pleasure
“ to observe that all are not borne away by the stream, and that you, though
“ almost single, oppose yourself to its rage, and bravely attempt to stem the
“ torrent.

“ You have laboured, not unsuccessfully, to undeceive a misguided people,
“ to save them from the strong impressions of artful misrepresentation, and
“ more daring falsehood. You alone have refused to condemn men for what
“ they are to do; to censure them for measures never taken, and arraign them
“ for counsels which they did not give. Thus nobly employed in the cause
“ of truth, justice and patriotism, nay, of humanity itself; every little assist-
“ ance which any one’s knowledge may enable him to give you, must, I am
“ persuaded, be acceptable to you. Let me then, Sir, contribute my mite,
“ which, though thrown into a treasury, yet is still of some value.

“ Great art and much falsehood have been employed to set every acquisition,
“ made by the present treaty of peace, in a contemptible and disadvantageous
“ light. Countries whose value and importance were before universally
“ acknowledged, became, the moment they were known to be ceded to us,
“ of no value and importance. Great towns were diminished to paltry villages;
“ populous countries were reduced to uninhabited regions; and fertile and
“ cultivated provinces were converted into barren and naked deserts. Such
“ has been the fate of Canada; such has been the fate of Florida. I shall
“ confine myself to the latter of these: for this reason, I know the country.
“ Had our political writers confined themselves within the same bounds, and
“ argued about nothing but what they knew, they would have wonderfully
“ abridged their own labours, and have imposed much less upon the patience
“ and credulity of their readers.

“ I have traversed by far the greatest part of this our new acquisition; and I
“ do assure you and the public, that I never saw a finer country than Florida is
“ for the most part. Neat and comfortable houses on the plantations; well
“ built, though, I confess, small towns, and these in a well improved, and
“ richly cultivated country, are what constantly strike the eye of the traveller.
“ What commercial advantages may be drawn from it, I leave abler pens to
“ display; I speak only of the appearance of the country: and yet this leads
“ me to mention one advantage I apprehend our West-Indian islands may reap
“ from the possession of that country, even in the commercial light. The only,
“ at present, profitable tracts of Florida, are certain large bogs, or marshy
“ grounds, which produce an excellent kind of fuel; being pretty much the

“ same

“ same thing which is called in England peat or turf: of this there is by far a
 “ greater quantity than would serve the inhabitants for firing, were they ten
 “ times more numerous than they are. Now, Sir, it is a fact notoriously true,
 “ and of which I have been an eye-witness, that all kind of fuel is extremely
 “ scarce in the West-Indies; I do not mean for boiling the sugars, for with
 “ that the trash of the sugar-cane sufficiently supply them, but for domestic
 “ uses: for the truth of this I appeal to every gentleman who has been in the
 “ West-Indies; indeed the scarcity is such, that I can safely affirm, that not
 “ one of the lower kind of the planters have a comfortable fire in their parlours
 “ or bed-chambers; nay, even amongst the better sort, I have seldom seen a
 “ good fire, though at the severest season of the year. In Jamaica, I am told,
 “ the case is otherwise; it may be so, I never was there, and I speak only of
 “ what I know. But in Barbadoes, Antigua, St. Christopher’s, and Mont-
 “serrat, I have been, and what I have said, I affirm to be a fact in those
 “ islands. Is it then a small advantage to add, and that at a cheap rate, to
 “ the conveniences and comforts of our fellow-subjects, fellow-creatures, and
 “ fellow-christians?

“ Let me add, and then I have done, that what I have said of those islands
 “ is true of Guadaloupe, that favourite child of a very indulgent, though, no
 “ doubt, very disinterested father, the author of an Examination of the com-
 “ mercial principles, &c. Possibly he may have been in Guadaloupe; let him
 “ contradict me if I assert what is not true, and I will give him proof as fully
 “ convincing as a Custom-house entry.

I am, Sir, your’s, &c.

V I A T O R.”

Numb. XXXI. Saturday, Jan. 1, 1763.

SOLON rempublicam duabus rebus contineri dixit, PRÆMIO & Pœna.

CICERO.

SOLON said, that Government is maintained by two things, R E W A R D
 and P U N I S H M E N T.

THE doctrine of *rewards* and *punishments* has always operated in a very power-
 ful manner on the passions of the weak and selfish part of mankind. It
 is a question which would require a nice discussion, whether the *divine* or *poli-
 tician* has more frequently been obliged to have recourse to it, or has made the
 most converts by this efficacious application to our *hopes* or *fears*. I own that I
 am rather inclined to the *politician*, because he brings all his artillery in view,
 to begin an immediate attack, and in case we do not surrender at *discretion* we
 see that the effect will be as instantaneous as it is certain. The *divine* allures
 us with the most pleasing hopes, or alarms us with a prospect of much terror,
 but then it is believed to be so distant, that the danger seems to diminish, and
 he is obliged in a good measure to trust to a *reversion* of *rewards* and *punishments*.
 I am sorry to observe, that man is so short-sighted, as well as suspicious, that
 these kinds of *reversion* scarcely operate at all; while others of an infamous na-
 ture have, on base and groveling minds, produced the most wonderful effects.
 I have known a *reversion* for three lives on the Irish establishment operate in so sur-
 prising a manner, that with an effrontery, and contempt of parliament, of
 which only that one man is capable, a modern statesman, some few years ago,
 ventured

ventured to give it under his hand, that he would *take the conduct of the house of commons**.

Though I must say, that the iron *ministerial* rod of power was certainly never lifted so high, nor ever fell with so much weight, and unrelenting cruelty on the subject; yet, I am very ready to acknowledge the great sagacity of our politicians in general, and especially of the minister now at the head of the *British* government, in the distribution of *rewards* and *punishments*. I only hesitate a little as to the *quantum*, which does not seem to me always accurately adjusted. I could mention several, but I shall confine myself to two striking instances, which by comparison will perhaps be shewn in a stronger light. I mean the *rewards* bestowed on those two very extraordinary gentlemen, Mr. *Pitt* and Mr. *Rigby*. I cannot but be of opinion that they are quite disproportionate to the respective merits of each. Mr. *Pitt* seems to me greatly overpaid: Mr. *Rigby* is penuriously dealt with, if we consider the variety and importance of his services. Mr. *Pitt*, from the annuity he enjoys, does not receive quite 2,200*l.* a year. Mr. *Rigby* is *Master of the Rolls in Ireland*: which is 1,600*l.* a year, and is likewise one of the *Vice-Treasurers* of that kingdom, which is a good 3,000*l.* more. Mr. *Rigby* has then in all 4600*l.* a year, which is little more than twice what Mr. *Pitt* receives from the public. Mr. *Pitt's* services, however, have been formerly acknowledged by his sovereign to be *great* and *important*†: Mr. *Rigby's* have not that *eclat*. The reason perhaps may be, because they are *secret services*; perhaps ought to remain so; and from the modesty of their nature, as well as of their author, should not only carefully be kept from the glare of ostentation, but even concealed from discovery. They are not less essential because they are *secret services*; and in my conscience, I believe they are of such a nature, that Mr. *Pitt* would be found totally incapable of reaching in so superlative a degree. I cannot persuade myself, that Mr. *Pitt* could have done such real services to the *duke of Bedford*, when his *grace*, in so amiable and endearing a manner, administered the government of *Ireland*, as Mr. *Rigby* actually and frequently did—by his mild and moderate counsels. I am likewise of opinion, that in his late tour to *France*, on that arduous business of the negotiations for *peace*, his *grace* had particular obligations to Mr. *Rigby*—in private hints, and perhaps even amendments of the *preliminaries*, which have made them appear so correct and high-finished, that they are universally admired. If I might be indulged a bold conjecture, I should be inclined to give Mr. *Rigby* the particular merit of that article, which describes countries so accurately by their lying on the *left* side of the river *Mississippi*; and I think he ought to be appointed *first geographer* as well as *Master of Rolls* (or should it not be *Revels*?) in *Ireland*. The merit of Mr. *Rigby* shines forth here in full lustre. We must likewise in justice ascribe to the wise and salutary advice of that gentleman all the happiness our fellow subjects of *Ireland* enjoyed under the beloved administration of his *grace of Bedford*, as well as a share of the glories of a *peace*, which has saved *England* from the certain ruin of success, and preserved to her all those conquests, which were of any value or importance. In the whole of these transactions Mr. *Pitt* had not the least share.

I will do the ministry justice in every thing. There is, I confess, a fitness and propriety in the mode of rewarding these two gentlemen, which does honour to the discernment of the administration. Of the plenteous crop of laurels, which Mr. *Pitt* has gathered, the fairest, and the only laurels likely to be *evergreen*, have come from *America*. The revenues, therefore, of the new world have been taxed to pay a little tribute to its conqueror. The scene of Mr. *Rigby's* glory is *Ireland*. The modest *Irish bay* encircles his modest brow, and her sweet *harp* ever resounds with his praises. Her sons, therefore, with the strictest propriety, as well as wonderful cheerfulness, now pay the 4,600*l.*

* The Right Honourable Henry Fox, Esquire.

† See *London Gazette* of October 10, 1761.

a year, to support the dignity of this *English* patriot, their late adored governor; for TRINCULO well says, *You shall be vice-roy, but I will be vice-roy over you.*

In another instance where Mr. Pitt has never concurred, Mr. Rigby has steadily served his country. We all know that Mr. Fox has ever been the darling of the people, as well as the particular favourite of the *Cocoa-tree*. Some malevolent writers have, indeed, some years ago, compared him to CATILINE, (for I must correct the spelling of the ignorant AUDITOR, who always writes CATALINE) I suppose only from the circumstances of CATILINE's having been the *Paymaster* of all the seditious and profligate in ROME; but the body of the people have always had the utmost trust and confidence in him. This virtuous minister, who, by so fully opening his—heart, has now opened the eyes of the parliament, though not of the public, Mr. Rigby has supported: Mr. Pitt firmly opposed, and never concurred in any of his *great* and *glorious* schemes for his country.

The comparison of Mr. PITT with Mr. RIGBY.

Among many things, which claim our admiration in both these men, one of the chief is, that from inconsiderable helps they attained to such greatness. In this respect Mr. Pitt has the advantage; for he has no partner, none to share his glory; whereas Mr. Rigby has been joined with many others, and has always acted rather in an inferior and subordinate sphere. Mr. Pitt, almost alone in his age, seems to have possessed that great political virtue, the art of governing kingdoms to their own satisfaction, which the ancients laid down as the greatest perfection which the nature of man could acquire.

In comparing their lives, we may observe, that this was common to them both; they were not born to any share of the legislature of their own country, but both raised themselves to be considerable among their fellow-citizens, and to have voices in the *senate*. This was, indeed, effected by different methods. Mr. Pitt obtained his seat in parliament by the unanimous suffrages of a few gentlemen of virtue and discernment. Mr. Rigby has put himself upon his country more at large, and has generally canvassed the dregs of the people in the same manner *Cæsar* did for the post of *Pontifex Maximus*, and with them has found the same success. This is peculiar to Mr. Pitt, that the palm of virtue and ability was readily yielded to him by every man of every party; whereas any great superiority of virtue or talents has been disputed by many with Mr. Rigby. Every *prudent*, every *modest*, every *decent* part, has been denied to be his praise; and I have, indeed, never heard that he has made any serious claim to either. In this, the difference is glaring. PLUTARCH says, *QUINTUS SERTORIUS was already in high esteem for his former services in the war, and his great abilities in the senate-house; whereas EUMENES obtained what he had, when he had been only a SECRETARY, and had been despised for the meanness of his employment.*

As to *eloquence*, they are both confessedly great; and I scarcely know how to compare them. If the eloquence of Mr. Pitt has been compared to the *bold thunder*, that of Mr. Rigby is undoubtedly the *brisk lightening*. Mr. Pitt never fails to persuade, to awaken, to rouse the passions, and to gain them over to the side of truth and virtue. Mr. Rigby as seldom has failed to enliven, to entertain, to amuse, and where he has found his own language sink under the powers of his oratory, he has opened to us all the classical treasures of the great Roman, LILLY, (not Tully) and has boldly denounced the terrors of his vengeance against *omne quod exit in hausen* †.

As to their *negotiations*, Mr. Rigby is to be preferred. Mr. Pitt has been concerned only in one negotiation with the perfidious *Gaul*, whom he brought to sue for peace in *our capital*. Mr. Rigby has twice adventured to the *capitals* of his enemies the *French*, and of his *dear friends* the *Irish*, on important nego-

† An expression of Mr. Rigby's in a great assembly.

tiations. Their motives were the same, and motives are the soul of actions, by which wise men have at all times measured the merits of them. Mr. Pitt seems to feel the most sincere benevolence and disposition to do good to the people of England; Mr. Rigby, a much better Christian, to our late enemies, the people of France; by which, as they are certainly more numerous than the subjects of the British empire, the benevolence of Mr. Rigby becomes more dilated, and is more universal than that of Mr. Pitt. In the negotiation likewise, Mr. Rigby's open, unsuspicious nature, relies on the royal word of the French king, that he will not fortify St. Peter's, &c. which all Europe knows is ample security; whereas Mr. Pitt very uncourteously insists (and this only one of four indispensable conditions) on the residence of a *Commissary*, among people who do not wish for his company, and on the visits of the commander of the British Squadron at Newfoundland, which must be unwelcome to every single Frenchman there. As to Mr. Rigby's negotiations among the Irish, their affection to him is now by no means equivocal. The returns he makes, I think, are scarcely adequate to the exuberant kindness of such friends; for he is now endeavouring to obtain an act to enable him to take *here* the oath of office, as joint *Vice-Treasurer of Ireland*, which will deprive them of his wish'd-for company in that kingdom, and of the opportunity of giving him the most solid and striking proofs of their esteem and affection. This they will the more lament, because by his politely taking a French leave of them, they lost an opportunity (of which they were universally ambitious) of giving him indelible marks of their gratitude.

As that body is, without doubt, the most strong and healthy, which can best support extreme cold and excessive heat, so that is the most firm and vigorous mind, which is not elated with prosperity, nor dejected in adversity. In this respect the virtue of Mr. Pitt appears more compleat. He was for many years the admiration of all his fellow-citizens; on a sudden, the wicked arts, and false suggestions of a few malevolent and envious men, the hirelings of the mean Scot, for a short time obscured his fame, and eclipsed his glory. His conduct on both occasions was the same; modesty, calm sense, and dignity attended him. Mr. Rigby has ever been in the same esteem with mankind; therefore we have no trial of the firmness or fortitude of his mind.

Mr. Pitt seems to have the advantage of Mr. Rigby in the number and greatness of his exploits. There is a glory round Mr. Pitt from *Louisbourg, Quebec, Pondicherry*, &c. which no sane man looks for round Mr. Rigby. On the other hand, Mr. Rigby has the merit of having restored concord to a neighbouring kingdom, and of enthroning peace and himself in the heart of every true Irishman; Mr. Rigby too deserves a distinguished niche in the temple of domestic concord. If the conqueror's laurel be peculiarly Mr. Pitt's, the lover's myrtle is no less Mr. Rigby's.

As to their more private characters, both Mr. Pitt and Mr. Rigby have generosity and spirit. In other things they differ. Mr. Pitt is abstemious, temperate, and regular; Mr. Rigby indulges more in convivial pleasures, is an excellent *bon vivant*, perfectly amiable and engaging in private life. Mr. Pitt, by the most manly sense, and the fine fallies of a warm and sportive imagination, can charm the whole day; and as the Greek said, his entertainments please even the day after they are given. Mr. Rigby has all the gibes and gambols, and flashes of merriment, which set the table in a roar; but amidst his profusion of pleasures, and even amongst his roses, fierce repentance rears her snaky crest, and the day after a cruel head-ach, at least, frequently succeeds. In short, I wish to spend all my days with Mr. Pitt; but I am afraid, that at night I should often skulk to Mr. Rigby and his—friends.

Numb. XXXII. Saturday, Jan. 8, 1763.

Here stood her opium, here she nurs'd her owls,
And here she plann'd th' imperial seat of fools.

POPE.

TO THE COCOA-TREE.

GENTLEMEN,

IT is now so much become the fashion to address you, that common politeness seems to give you a right to a few lines from the NORTH BRITON. To you then he calls, *but with no friendly voice*. He feels neither affection, nor esteem for you. He equally detests your *principles* and your *practices*. He has marked you for many years, factious, seditious, and very near *rebellious*. For four years only, under the *patriot minister*, whom you have now deserted, he was witness to your acting on *revolution principles*; but how little you were in earnest, and how faintly your hearts glowed even then with the generous warmth of liberty, your present conduct bears full evidence. I shall not now attempt your history as a party. That is too large a field for a weekly paper: *longa est historia, longæ ambages*. A few of the *outlines* I will mark, and if they are faithful, and drawn after truth, they will be more *bold* than *regular*. I shall confine myself almost entirely to some circumstances, I believe of importance, which are still unnoticed by abler pens; and I will point out a few, though not of your *amiable*, yet of your *leading features*.

The infinite number of writings you formerly published to recommend *passive obedience, non-resistance, and indefeasible right*, were a disgrace to the free government under which you lived; and your slavish maxims led a former unhappy prince, *James the Second*, to attempt the reducing into practice what you had for some years inculcated through the nation as the clear right of the *Crown*. You have now rather softened the terms, and you only talk of the *independency* and *prerogative* of the *crown*; but your meaning clearly remains the same. These were the universal doctrines, and characteristics of a *Tory*. All your friends at your head-quarters in the capital loudly proclaimed these tenets of slavery, and your favourite country residence of *Oxford* echoed them through the nation. They were *talked, written, and preached into vogue* by venal, prostitute priests. The judgment and decree of the University of *Oxford*, passed in the Convocation, July 21, 1683, is full of maxims which overturn the first principles of all free governments, and of all civil liberty. That *there is a mutual contract, tacit or express, between a prince and his subjects*: That *the sovereignty of England is in the three estates, viz. king, lords, and commons*: That *self-preservation is the fundamental law of nature*: That *there lies no obligation upon Christians to passive obedience, when the prince commands any thing against the laws of our country, &c. &c. &c.* These are only a few of the many propositions, which the University of *Oxford* declared to be *false, seditious, and impious*, and Rapin says, the DECREE was presented to the King with great solemnity, and was very graciously received. I appeal to the common sense of mankind, whether the English government is not entirely overturned by these maxims, which only the professed slaves of a *Turkish emperor* could surely without blushing offer to the Grand Signior. BOLINGBROKE says, *that they are as absurd in their natures as terrible in their consequences, and would shock the common sense of a SAMOJEDE, or an HOTTENTOT*. The University ordered, that IN PERPETUAL MEMORY, *these their decrees shall be entered into the registry of the convocation, &c.* The House of Lords, in 1710, ordered this
decree

decree to be burnt by the hands of the common hangman; but I desire to be informed whether it does not now remain at *Oxford* UNREPEALED *.

Many, however, of the considerable *Tories* concurred in the *revolution* which was brought about, *against their principles*; but they all soon repented of it, and were never hearty friends to king *William*, though many of them were favoured by him. They continued generally in very ill humour with the government till the latter end of *queen Anne's* reign, when their machinations against the house of *Hanover* were manifest to all Europe; and they actually betrayed to *France* almost all the members of the grand alliance. Their particular spleen to the *Dutch*, to whom this nation was so greatly indebted for the *revolution*, is remarkable. The following orders were sent to lord PRIVY SEAL, who was then the great tool of that faction, for his farther conduct: "You are to stop all instances for procuring the Tarif of 1664 to the *Dutch*; you are to decline absolutely to confer any farther with them upon any matter—and the queen looks upon herself, from their conduct, now to be under no obligation whatever to them." Report from the Committee of Secrecy, the 9th of June, 1715, p. 12, and afterwards, p. 30. Mr. St. John writes a long letter to the lord PRIVY SEAL, and instructs him to lay the entire blame of all that has happened to the *Dutch*.

The peace of *Utrecht*, gentlemen, was infamously patched up by your party, and therefore you are to be detested for having laid the foundation of all the future troubles of Europe. I must, however, own, that on the 24th of April, 1714, both Houses of Parliament presented an address to the Queen, to express the just sense which they had of her Majesty's goodness to her people, in delivering them by a safe, honourable, and advantageous peace with *France* and *Spain*, &c. In the House of Commons this resolution passed *nemine contradicente*, the friends of liberty having at that time agreed to avoid unmeaning divisions, and to reserve themselves for a more favourable exertion of their spirit. Your pens now flourish on PREROGATIVE just as they did at that time. The message to the House of Commons on the 8th of May, 1713, begins, *As it is the undoubted PREROGATIVE of the crown to make peace and war*, &c. The last address, presented on the 13th of December, 1762, has these words, *Although to make peace and war be your Majesty's just and undoubted PREROGATIVE*. &c. In little more than a twelvemonth another House of Commons, *nemine contradicente*, impeached Lord *Oxford*, and Lord *Bolingbroke*, of high treason, for some of the articles of this very treaty. One of the articles of impeachment against the Earl of *Oxford*, was, that he had treacherously advised the 9th article of the treaty of commerce with *France*, and the giving to the French the liberty of fishing and drying fish on *NEW-FOUNDLAND*. All Europe laughed at the first resolution, and detested the vile flattery and venality of that parliament. The Queen, in her answer, said, *I esteem this address as the united voice of my affectionate and loyal subjects*. Notwithstanding this, the Lords, in their very first address to King *George I.* say, *they hope to recover the reputation of this kingdom in foreign parts, the loss of which is by no means to be imputed to the nation in general*. The Commons declared, *We are sensibly touched, not only with the disappointment, but with the reproach brought upon the nation by the unjustifiable conclusion of a war, which was carried on at so vast an expence, and was attended with such unparalleled successes: but as that dishonour cannot in justice be imputed to the whole nation; so we firmly hope and believe that, through your Majesty's great wisdom, and the faithful endeavours of your Commons, the reputation of these your kingdoms will, in due time, be vindicated and restored*.

What passed, gentlemen, among your friends at *Oxford* in the beginning of the reign of his Majesty's great-grand-father, and how opportunely Major-General *Pepper* arrived there, with a considerable body of horse, to your utter confusion, and the ruin of all your rebellious designs, is fresh in our memories. *Oxford* was then known to be the strong hold of *Jacobitism*; but I believe, even

* It is expected that this infamous *Decree* will be soon repealed, at the particular request of their present Chancellor, as an indubitable proof of his sincere conversion to the principles of *Liberty* and the *Revolution*.

then, in fear, or modesty, you only called yourselves *Tories*. After the Duke of *Ormond* was attainted by act of parliament, the superior numbers of your friends in the University, by a great majority, elected his brother the Earl of *Arran* their Chancellor, to testify, as the Vice-Chancellor publicly declared, their obligations to the family of *BUTLER*, and to express their gratitude to his GRACE—for the many services to the Pretender. To the Earl of *Arran*, Lord *Westmoreland* succeeded, by the strongest of all recommendations to the University; for he was said to be the man in the kingdom most personally obnoxious to our late Sovereign. The Earl of *Westmoreland* was succeeded by Lord *LITCHFIELD*; and your party, gentlemen, grew so greatly in favour, that *OXFORD* now gave us *chancellors* for *courtiers*, and of her *doctors* we made *chancellors*; for that remarkable year teemed with the dire omen (which heaven avert!) of the same doctor * made *Chancellor of the Exchequer*, and *comptroller of the high Borlace Club*. He at once administered the finances of this kingdom to the purposes of a *German* war in its full extent, and artfully guided the nice, constitutional toasts of that virtuous, patriot club. Your favours, and those of government, which he had merited by a long succession of services, were showered down for the first time on the same great object, who had, in some degree, (*credite posteri!*) the confidence of both. I must observe, that the poor old interest expired a little before this time, deserted at least, perhaps betrayed, by those she had most confided in. She had, indeed, but a little before seen her present *Oxford* chancellor subscribe a parchment full of wonderful promises to support her; but she had likewise seen his orders to erase his name from it, with an express and very true declaration, that he would not abide by what he had signed †.

I am not surprised, gentlemen, at your present virulence against that great person, whom, next to King *William*, every *Englishman* reveres as his deliverer; and, I appeal to daily observation, almost every *Scotsman* detests and reviles. Ever since the battle of *Culloden*, to which his Majesty owes his crown, he has been the marked object of your abuse. How much of the admired invective of the celebrated *Radcliffe's* harangue was pointed by your favourite orator of sedition, the factious, pestilent, vain ‡ old man, against our great deliverer? Has your present § leader caught of you the foul stain of ingratitude to our great friend; and, falling on so rank a soil, has he improved it by treachery to a noble and generous benefactor? How near did your orator approach to the very verge of treason, to gain your applause? I well remember your apprehensions at the frequent repetitions of the word *REDEAT*, and your loud applauses, when you found that though the guilt of treason was clearly incurred, yet the orator had contrived to save himself from the penalty of the law. How were you charmed with *Carmina tum melius, cum venerit ipse, canemus*, and many other expressions totally void of all meaning and wit, but what must arise from their being treason to the constitution of your country? The standard of disaffection was then set up at *Oxford*, and your midnight orgies were such as every true lover of his country heard of with horror. What your wishes were in the time of the last rebellion, is now universally known; and your intrigues with the court of *France* have been fully unravelled. *DEYMAN*, who died in *Paris* soon after the battle of *Culloden*, the pensioner and agent of the *French* king, was for ever with you at the *Cocoa-Tree*; nor will you dare to deny that your negotiation with the court of *France* became fruitless from this single point, that you insisted on the *French* first landing here, the court of *France* insisted on your first rising in arms, which only your poltroonery kept you from. Had your courage equalled your disposition to rebellion, you had joined your new allies the *Scots* at *Derby*, and the *English* had delivered this free country from a few more of her base and unnatural sons.

Forgive me, gentlemen, when I recal your attention to the general election in 1754. You then supported Lord *Wenman* and Sir *James Dashwood*. Did

* Sir Francis Dashwood, Bart.

† This curious parchment is still in being.

‡ Dr. King. § Mr. Fox.

either of them *associate* in the time of the most imminent danger to the state, when the *Pretender* was at the head of a considerable body of rebels in the heart of the kingdom? In the reams of paper you blotted in advertisements, did you ever once name his majesty king *George*, or the house of *Hanover*? Did not this give the nation the strongest suspicions of your loyalty and affection to his majesty's family? I blush, when I add, that in the reign of his grandson you are caressed and trusted.

Yet, gentlemen, I will be far from blending you all in one common mass, as tinged with *Jacobitism*; I could name some among you, who, though generally actuated by caprice, yet I know have had, in their few cool moments of reflection, an aversion to all *monarchical government*, and have held in perpetual derision the *respect and veneration* due to kings. All their ill-bred and indecent jokes on *kissing hands*, &c. are well remembered. His majesty's father said to the two * most remarkable, when they professed much devotion to his service, *I know you both well; you would indeed make me the greatest STADTHOLDER England ever had*. Yet, notwithstanding all their parade of *stubborn* † *virtue*, we have seen these two men ready to go into all the most odious measures, to *run all lengths*, and to become very *practicable*, or rather very *pliable*; for *practicability* implies a dexterity in business, which we have never yet seen in either of them. It is the observation of *Swift*, "Employments in a state are a reward for those who entirely agree with it. For example, a man, who, upon all occasions, declared his opinion of a commonwealth to be preferable to a monarchy, would not be a fit man to have employments; let him enjoy his opinion, but not be in a condition of reducing it to practice."

I shall now, gentlemen, only make one farther remark, that while you have been regularly preaching *submission*, and practising *opposition* to the crown, the impartial world will conclude that you believe the crown has not hitherto been placed where you may think it ought, and therefore you waited till then to practice your old doctrine of *non-resistance*; a doctrine you have ever forgot to the *Hanover* family. For my part, I have ever been persuaded that the happiness of this government depends on the security of his majesty's undoubted title, founded on those principles, which established the glorious *revolution*, and I hope will ever warm the breast of every *Englishman*.

I am, Gentlemen,

Your most humble servant,

The NORTH BRITON.

* Earl T——t, and Sir F——D———d, Bart.

† So *Talbot's* want of place is want of sense,
And *Dashwood's* stubborn virtue downright insolence.

Paul Whitehead's epistle to Dr. Thompson.

We have seen how *stubborn* the virtue of Sir *Francis Dashwood* was, particularly in the *Excise*; but it was scarcely so real as Lord *Talbot's* want of a place.

Numb. XXXIII. Saturday, Jan. 15,
1763.

Naturam expellas furca licet, usque recurret.

HOR.

For nature, driven out with proud disdain,
All-powerful goddess, will return again.

FRANCIS.

I Cannot sufficiently admire the modesty of those writers who congratulate the public on a total abolition of party, and the universal satisfaction and harmony which prevail throughout the nation; at a time when every honest face is clouded with distrust, and every honest heart full of grief; when the old and tried friends of the constitution are retired in discontent, or rudely thrust from their seats, though the influence of the old avowed enemies of the present family on the throne, headed by a minister, whose country, before he was in power, and whose behaviour since, has rendered him justly suspected, and generally odious. However great the advantages of union amongst ourselves may really be, and however they may be magnified beyond their true extent, by the venal instruments of power, I should think them much too dearly purchased, if they could be purchased that way, by throwing all places of trust, honour, and profit into the hands of the *Tories*, whom no true lover of his country can behold without suspicion in any place of trust at all.

If we look some years back, we shall find *that party* was wholly sustained by the great abilities of some few among them, who made it subservient to their private piques or interests, and had ingenuity enough to puzzle the cause with dexterity, and confound those whom they could not convince. At present, happily for this nation, there is not one able man amongst them; their heads are as bad as their hearts: those who have taken up their pen in their behalf have made a bad cause worse, by the manner in which they have handled it, and notwithstanding the various palliations and unmeaning distinctions they have made use of, their principles are laid open to the nation, and in every honest man's mouth is to be found that antient, and I will venture to say, for I will, in the course of this paper, undertake to prove it, true assertion—*Shew me a TORY, and I will shew you a JACOBITE.*

As this assertion may, perhaps, seem too general and severe to many moderate persons, and as the abettors of that reviving party, will no doubt tell us, that these words have by no means the same import; that they differ as much in latitude of signification as in their original; that they are entirely employed on different objects; that the name of *Tory* subsisted long before that of *Jacobite* was known, which was afterwards grafted upon it merely from an *unfortunate accident*, as they call it, or as we would term it by a *special providence*; as they will insist that the name of *Tory* cannot include that of *Jacobite*, at any rate, though they will indeed candidly allow, that the name of *Jacobite* includes that of *Tory*; as all these pretences carry with them some shew of reason, I shall now give this point a more particular discussion. I shall consider the real import of these words, and shall, I trust, before I have done, convince the impartial reader, that he may with the greatest propriety pronounce them *synonymous*.

A *Tory* in the true and original meaning of the word, not to gloss it over with vain and artificial interpretations, was a maintainer of the infernal doctrine of arbitrary power and indefeasible right on the part of the sovereign, and of passive obedience and non-resistance on the part of the subject; a doctrine which many preceding monarchs had endeavoured to establish by cunning, but which
the

the STUARTS first openly avowed, and would have confirmed by force. The *Tory* maintained, that the king held his crown of none but God; that he could not, by the most flagrant violation of the laws, by the most tyrannical exercise of his power, forfeit his right; that the people were made entirely for him, and that he had a right to dispose of their fortunes, lives and liberties, in defiance of his coronation oath, and the eternal laws of reason, without the subject having any right to demand redress of their grievances, or, if their demand was denied, to seek it in themselves. Does not the *Jacobite* hold these very tenets? Are not his articles of state-faith of the same complexion? Where is the one different from the other, unless in name? Will the *Tories* tell us, that what they maintain relates only to the system of government, to which the *Jacobite* adds a particular consideration of an attachment to the interests of the *Stuart* family, whereas they are zealous for the present family? They may have impudence enough to tell us this; but, I trust, we are not yet arrived at that pitch of credulity to believe them. Examine them by their leading principles laid down above, and tell me, if according to them they must not, like the *Jacobite*, consider the expulsion of *James* the Second as unjust, the *Revolution* as a rebellion, and all those patriots who were concerned in accomplishing it, as traitors to their lawful prince; whether they must not, to act consistently with themselves, believe the title of the *Stuarts* to remain still in full force, though they are deprived of the possession, and that his present majesty holds the crown contrary to the laws of God. Can we see these persons preferred without uneasiness? Can we weigh their principles, and not suspect their actions? However moderate and averse to party, can we see them entrusted with the power of doing mischief, and for a moment doubt their having inclination to carry it into execution? Can we without concern behold the danger of the constitution, and must we not tremble with apprehensions both for our sovereign and ourselves?

The *Tories* themselves will not, for indeed they cannot, deny that these were the distinguishing marks and governing maxims of those who formerly embraced that party, and some of them may be candid enough to own that they themselves have been actuated by the same principles; but with regard to their present vindication, they scorn to intimate (for it is rather an intimation than a declaration) that their opinions of government are entirely altered; that they have seen their mistake, and, in order to make amends for past errors, are now become willing to take all places and preferments, to prove their regard to the present constitution. For my own part, I must confess myself, in this respect, an infidel, nor can I believe one tittle of this pretence; and it might perhaps have shewn no improper caution in the minister, if he hath the interest of his master so much at heart, as he would have us think, to have had some better proofs of the sincerity of their conversion, before he had bestowed on them such lavish rewards; and to have been well assured that they had laid aside all inclination to do ill, before he had entrusted them with the power of doing it.

With regard to those ever loyal gentlemen, I shall observe farther, either

That they have changed their principles, or,

That they are still *Tories*, in their limited sense of the word, or,

That they are still *Tories*, as I understand the word, including *Jacobitism*.

In every one of these respects, let them take which they will, they are not fit to be entrusted with the administration of affairs.

The first of these points is the only one which will admit a moment's doubt. Those who determine at first sight, will naturally say, that, as the principles of the *Tories* were the only objection to their being concerned in the administration, those principles being now changed, the objection of course ceases,

and they become entitled to state-employments equally with the most ancient and steady loyalists.

This inference, however specious, and founded on a maxim generally true, will not, I am afraid, hold good, when applied to this particular case. The qualifications necessary for employments in the administration, I apprehend, ought to be real attachment to, and zeal for, the constitution; a strength of understanding which may discover the true interests of it, and an invariable steadiness of mind, in the promoting of them. In the first of these respects, we will credulously suppose that the *Tories* have qualified themselves (those I mean who had occasion to take the oaths) by a total and miraculous change of principles, effected in an instant, without any visible cause, and almost amounting to a new birth. In the second respect, which relates to the understanding, we will generously give them credit; but how then will they stand with regard to the latter qualification? If we acknowledge the sincerity of their conversion, their zeal for the constitution, joined with an amazing understanding, what must we think of their steadiness? What, without any one motive (but those arising from true reason and sound argument, which they had for years rejected) all at once, in a moment, by the strongest sympathy in the world, shift about, profess those doctrines they had exploded, and disavow those principles which they had sucked in with their milk, in which they had been educated, and which, when arrived at what they called years of discretion, they openly gloried in; those principles in defence of which many of their fathers lost their honours, and some their lives! Is such a change as this credible? Can they really have relinquished those hellish tenets, or do they dissemble? If the change is dissembled, what is become of the first qualification of a statesman, a love of the constitution? If the change is real, what becomes of the latter qualification, that steadiness of mind which alone can make the other of good effect? Can we think our dependence well founded on those men who can so easily take up and relinquish principles, or be well pleased to see power lodged in the hands of those, of whom the most candid must declare, that they are chargeable with levity, that they are lighter than vanity itself? When they professed themselves *Tories*, they attempted to give us reasons for their Political Creed, nay, they pleaded conscience. Why do they not tell us the reasons on which they have changed their faith, and assign some fair methods by which they have satisfied the doubts of conscience? Till they do this, we certainly have an undoubted right to consider their pretended change as a mere piece of finesse, calculated to advance the worst of purposes, or to regard them as men of inconstancy and levity, acting from caprice and not reason; consequently in either of these respects unfit to take a part in the direction of affairs.

To do them justice, however, I shall endeavour to account, not for their change of principles, because I believe those to continue as they were, but for the alteration in their mode of speaking and acting. This I the rather think necessary, because it seems to arise from motives which they may not be willing to avow. I mean ambition and interest, an unbounded desire of such places, as bring in real profit, and afford mock honour. We shall, however, do well to observe, that though these are strong inducements to them to dissemble their principles, they cannot be of any force to work an honest change in them. Their beautiful pliability indeed, and complaisance to those bewitching tempters, seems to prove more than they would wish, and instead of evidencing a change of principles, declares that they have no principles at all.

If then we are of opinion that they have changed their old-rooted principles merely through caprice and levity, we can have no assurance that they may not as wantonly return to them, with a fresh accession of power and influence to accomplish the subversion of our happy constitution; if they are governed by ambitious and interested views, we can only consider them as persons put up to auction, and always to be sold to the best bidder; if they continue *Tories*, in their limited sense of the word, as it means the friends of despotic government, we immediately see how much their influence ought to be feared by the people:

people: or, if they continue *Tories*, as I understand the word, including *Jacobitism*, how dreadful ought their new-revived power to appear, not only to the people, but also to the sovereign!

Numb. XXXIV. Saturday, January 22, 1763.

—Fuit hæc sapientia quondam,
PUBLICA PRIVATIS fecernere.

HOR.

Poetic wisdom mark'd, with happy mean,
Public and private; sacred and profane.

FRANCIS.

IT is become the fashion to ask, “What have you to say against the present minister? What ill hath he done?” I would answer this question, and, I think, not improperly, by asking another, “What have you to say for the present minister? What good hath he done?” My notion hath ever been, that services should precede rewards, and that places of so high and interesting a nature, should be conferred on those only who had previously given some unquestionable proofs of integrity and ability. The tools of this very great man, and particularly the AUDITOR, think all objections to his having the direction of public affairs sufficiently answered by telling us, that he is a man of excellent character in private life.

Whether this be truth or not, I neither know nor care; but certain I am, that it is nothing at all to the present point. Private virtues are very often to be found where the qualifications of a public character are wanting. A good man may be a very bad minister; and this observation will justify us in asserting, that religion was in a great measure the cause of that prince's fall, whom we now consider as a martyr. To enter into private life on this occasion, cannot be serviceable to the cause we espouse, and is by no means agreeable to our inclination: though perhaps, without any violation of candour, we might disprove the general assertion of venal flatterers, and without any danger from the law, make them severely repent of the challenge they have so often sent us on this head. The only plausible pretence for the minister's holding his present place, is his great oeconomy at home: but even here, I am afraid, the inference which they would make is not just. We frequently meet with persons who are careful to the last degree of their own money, and lavish, beyond precedent, of what is entrusted to them by others. How far this is the case here, I shall not consider at present; one particular transaction of the greatest moment, which will throw light on these affairs, hath been lately communicated to the NORTH BRITON, and shall in due season be laid before his readers, who will not, he hopes, deem this a vague and wanton assertion, but give that credit to him, which he trusts he has merited from the public, by a faithful and close regard to truth, the great object of all his political enquiries.

One very remarkable reason, for such it is called, assigned to justify the exorbitant greatness of the present minister, is the great care which he exerted to form the mind of his most excellent majesty in his early years. As there is no true Englishman who doth not feel the good effects of our sovereign's virtues, they must all (I take it for granted, and can answer for myself) be highly sensible of the obligation due to those who in any measure contributed to the improvement of them; but I am not yet sufficiently deep in the history of LEICESTER-HOUSE, to be quite certain that the Favourite hath any just claim to our
acknow-

acknowledgements in this respect. He had a place there, of no great consequence in itself, and, according to my poor conceptions, wholly unconnected with the business of education; nor amongst the several great names to whom, at various times, this important trust was committed, did I ever hear his lordship mentioned till he became a manager in the state. Taking the fact, however, for granted, the reward bestowed on him in consequence of it seems much out of proportion, and is of such a nature, as to take him entirely out of that province, to his excellency in which, as we are told, he owes his influence. A very good schoolmaster may make a very indifferent statesman: pedantry is of little service in politics, and I should have a very contemptible opinion of an English administration, who would submit in their several departments to the imperious dictates of an overbearing tutor. I am extremely sorry that I cannot, in this respect, agree with the great Mr. MALLEY, *alias* MALLOCK, that ingenious Scot, who, by the publication of lord BOLINGBROKE's *deistical writings*, formerly endeavoured to overthrow our religion, and at present is doing what in him lies to change our constitution, by advancing such doctrines as strike at the liberties of the people. In the *political poem* of ELVIRA, now acting at Drury-lane Theatre, are the following remarkable lines;

*He holds a man, who train'd a king to honour,
A second only to the prince he form'd.*

I could much wish to see the work of education more considered, and those to whom it is entrusted better rewarded than they are in general; but cannot by any means agree to this extravagant opinion, even though I could persuade myself that a *groom of the stole* must in good reason mean a *Tutor*; and that to superintend the ornaments of the body is most essentially to adorn the head and heart.

In the best political * pamphlet which has been laid before the public, relative to our present divisions, it is asserted, and I think with great reason, that the unpopularity of a minister, on whatever grounds it is taken up, is in itself a sufficient motive for him to quit the administration; nor would the ministerial hirelings have seriously contradicted this doctrine, if they had once considered, that the consequences of such unpopularity will be the same, whether it should arise from prejudice, or from reason. In the course of this paper, I shall venture to go one step farther, and shew, that there are many other real, fair, and substantial objections to the administration of this Scot.

The first is, that he is a Scot. Can he help that, say his friends? No, nor can we; I from my soul wish that we could.—But, say they—you cannot impute his country to him as a fault; it is his misfortune.—The misfortune, I am afraid, is ours. In spite of all their specious arguments, I am certain, that reason could never believe that a Scot was fit to have the management of *English* affairs. There is something in the very thought which strikes disagreeably, even before we are able to account for our disgust, though on a moment's pause we find reasons enough at hand ready to justify it. A Scot hath no more right to preferment in *England* than a *Hanoverian* or a *Hottentot*; and though from the time that the STUARTS, of ever odious memory, first mounted the throne, the Scots have over-ran the land; yet the countenance shewn to them hath ever been attended with murmurs and discontent. From the *union*, indeed, they have another kind of plea to make, and with much modesty represent to us their undoubted right of enjoying every thing in common with us. That the *union* was designed, however the act may be worded, to put the inhabitants of the most beggarly part of the island, into full possession of the whole, I cannot believe; and if we consult the behaviour of the Scots at that time, we shall find they themselves did not then consider it in that very advantageous light. A true Scot never opposes his own interest; and if any one

* An Address to the Cocoa-Tree. From a Whig.

of those few amongst them who favoured this *union*, had made it clear that it was for their advantage, the whole nation would unanimously have come into it. Had that spiritual argument been used to them, which had such an effect on the children of *Shechem*, "Shall not their cattle, and their substance, and every beast of theirs, be ours?" there would have been no hesitation on their side: But the most sanguine amongst them could not encourage such hopes, for they had not yet sanctified themselves by repeated rebellions. The particular post now held by the minister is of all the most liable to exception, as it includes the disposal of places, considerable both for their number and quality; and his behaviour therein justifies the suspicion we had entertained, that none but *Scots* or *Jacobites*, or such *English* as are *scotticized*, must expect favour or preferment under him.

Besides the objection which lies against the minister from his being a *Scot*, from his glaring partiality to that nation, and contempt of us; from his connexions with the old enemies of our constitution, and supercilious treatment of the true friends of it; from the arbitrary displacing of men, merely because they were too honest to approve his measures, and from the doctrines of arbitrary power, which seem to be once more walking abroad under his protection, our discontent is well-grounded on the late inglorious *peace*.

The warmest defenders of the *peace*, on the present plan, seem to abate something of their zeal, and no longer assert it to be adequate to our successes: they only say, that it is necessary for us in our present situation. This doctrine hath been maintained on a public occasion, by a * gentleman of known abilities, who for some time hath exerted the happy and honourable art of speechifying so mysteriously, that no one can find out whether he is for or against the *peace* and the *administration*. Could it be made out that there was an absolute necessity for us to make *peace*, and such a *peace*, I dare not to wag my tongue against those concerned in patching it up; but this point, though frequently asserted, remains yet to be proved, and the trifling pretences, which have been offered to the public, want nothing but the slightest consideration to make them contemptible.

One reason still insisted upon to shew the necessity we were under of making *peace* is, the impossibility of the minister's raising the supplies to carry on the war. This, if true, was a good reason for the minister's quitting his post; but a very indifferent one for his sacrificing the honour of an indulgent master, and the interests of a country not his own, in order to retain it. If there was any difficulty on this head, it did not arise from the thing itself, but from the person; and on his removal, and the appearance of any one in whom the people thought they might confide, it would have vanished of course. But, distrustful, suspected, and hated as he was, there is little ground for making the raising the supplies any plea for a precipitate *peace*, when a † merchant, now of great and fashionable note, as remarkable for *flimsy oratory* as *dull poetry*, with much confidence assured his noble patron, that however steady the city might appear, they were always to be turned about by throwing in an *eighth*.

On a comparison with our enemies, we had no imaginable reason to make *peace*. They were totally undone; we had nothing to fear from them, and much was to be got. The time was come when our brave sailors might have reaped the rewards of their dangers, and instead of returning to rust at home in beggary and contempt, might have settled themselves in ease and comfort. FRANCE, we all know, was ruined; her fleets destroyed, her trade at a stand, her colonies in our hands. Spain, an enemy at the best little to be feared, had lost that fortress which alone secured to her the sinews of war. This assertion is not without proof. POCOCKE, to whom the nation is bound by the most important services, declared it; we had it delivered to us in a place, and by a person which makes the truth undoubted; nay, we seriously and solemnly

* Charles Townsend, Esq;

† Richard Glover, Esq;

returned thanks, *by authority*, in our churches to Almighty God, for *having deprived our enemies of the means of war*. In such a situation, what was to prevent a peace adequate to our successes? *The minister*. What was to drive us to the acceptance of such terms as are generally disagreeable? *The minister*. What could induce us to restore our conquests, to put the enemy into a condition of rekindling the flames of war in a short time, and more to our disadvantage? What, but *the minister*. Above all, why allow the right of fishery? Because the *French* would not make peace without it; they held it a *sine qua non*. However fashionable it may be to undervalue that article now, *their* attention to it, if nothing else, demanded *ours*; and, if it is a *sine qua non* to the *French*, that was reason sufficient to make it so with us. But I cannot enough admire that the *French* would not make peace without it. Are the vanquished then to prescribe terms to their conquerors? What did it concern *England* whether *France* called it peace or war, if she was so destitute of force as to be unable to oppose our success and to prevent that commerce, which put the whole world into our hands, though we have generously given so considerable a part of it to her again?

But how would EUROPE have considered this behaviour? Would not the jealousy of other powers have been raised; nay, would not their justice have taken the alarm, when they had seen *England*, drawn unwillingly into a war, cruelly and unnaturally defending herself, and humbling her enemies; most injuriously detaining those places which were honourably conquered, and refusing to restore to her enemies a power of doing her fresh injuries? This I confess to be a material reason for our concluding the war in the manner we have now done, and it ought to warn us never to go to war with any power for the future, till we have first sent round the world to know what places we may keep, if conquered, and what we may not; so that we may not, as now, exhaust our treasures, and, which is more considerable, throw away the lives of our brave fellows, to take places on purpose for a weak or wicked minister to give them up again.

Numb. XXXV. Saturday, January 29, 1763.

Est quocumque volent, animum AUDITORIS agunto.

HOR.

And where they please, the Auditor they lead.

I Must confess, that for some time I entertained the fond hope of availing myself, in the discussion of the *preliminary articles of peace*, of the wonderful political knowledge of the AUDITOR. In his thirty-first number he had begun an excellent set of observations, by printing *Viator's* Letter, relating to *Florida*, *exactly in the form which he received it*, that he might (to use his own words) *throw all the lights in his power upon the solid value of the advantages procured for us by the late negotiation*: but after having assured us, upon that *undoubted* authority, that *Florida* is a *well-improved, richly cultivated, and populous* country, in this auspicious beginning of his career, he unhappily stopt short, and, from this incomparable specimen, has left us to regret what such *acuteness* and *knowledge* combined, could, but alas! will not, effect for the public. Perhaps, however, I injure him, and we are only to wait a little while till a kind correspondent sends him *another letter* to blazon in as lively and *faithful* colours the *solid value* of the bleak and barren deserts of *Canada*. He is so fair, that we have no reason

son to doubt but he will give the letter *exactly in the form which he receives it*; and will, perhaps, again pawn his credit to the public for the authenticity and truth of every particular. I hope he will then likewise dwell on the *commercial advantages* which may be drawn from it, as they must surely be equal to the very important one of the *Florida Turf*, that fine, rich vein of trade, just opened by the AUDITOR, to give, as he says, *comfortable fires* to our cold, frozen *West-Indian* islands. May I hope to be forgiven by the * *lord steward* of his majesty's household, who has his master's and his own *honour* ever at heart, and by the first † *lord of the treasury*, whose love to this nation is tempered with the truest *frugality*, if I should propose a scheme of *æconomy*, which is of a nature perfectly new to *both*; for it is in no way derogatory from the dignity of the crown, or the safety of the public. I would therefore humbly submit, whether the *pension* which the AUDITOR now enjoys should not be withdrawn, and instead of it an *exclusive charter* be granted to him for this new branch of commerce, the *Florida peet*. He surely deserves it much more than Mr. Touchet does a *monopoly* of the trade to the river *Senegal*. That gentleman has just now made this modest claim, though he received his share of *prize-money*, and his usual enormous profit on almost all the goods he sent out, when he contrived to make a *trading voyage* of a warlike expedition. I do not know how both their claims will be relished by the public; but, *being of such a nature*, I should not wonder if they were supported by that great patron of modest men, and modest merit, the modest Mr. Fox.

This wonderful genius, the AUDITOR, who, for the advancement of *political science*, has so happily emerged, though not so pure as I could wish, from his native bog of *Allen*, is too grave a politician to *sport on the turf of Florida*. According to the *simple* primitive ideas, which in the first dawn of life so deeply impressed his *soft*, tender mind, he considers wisely and soberly the real and solid benefits of this *new*, but important, commerce of *peet*, so necessary to the *comforts of life*. To carry on *that* trade, I dare say he would be ready to bargain even for his dear *natale solum*, and would no more scruple to begin a treaty to *sell his country*, than he did to sell himself. At present, he only proposes the *Florida peet* at a *cheap rate* for the lower kind of the planters in our *West-Indian* islands, to have a *comfortable fire* in their parlours or bed-chambers, to which there can be no objection, provided he will first build *chimnies* in their parlours or bed-chambers.

As to the *inhabitants* of this *populous* country, it is well known, that *Florida* has been chiefly peopled by *convicts* from *New-Spain*. I hope, however, since the *Spaniards* have turned out the most shallow politicians in *Europe*, that we shall not adopt their policy; for I am really unwilling to lose the weekly entertainment of my friends, the AUDITOR and BRITON. They both know so much already of *Florida*, there can be no necessity, though it might be the strictest justice, to send them to a country at present so well peopled with similar geniusses, that (if they are not already expected there) they would undoubtedly be well received by the new excellent subjects we have acquired, and smit with the love of the same *fine arts*, they would *meet congenial, mingling knave with knave*. I do not doubt but our disciple of *St. Omer's*, who is rather the greater genius, would instruct his fellow-labourer, the poor BRITON, to throw away his *Scottish* pack of dulness, and in time they would both surpass in perfidy and fraud the most refined Jesuit, who is to be *tolerated* in these new conquests—possibly to read mass to this good *Irish Catholic*. If no untimely end prevents the dullest *play-wright* of our times, he may then at last present us with a woeful *Tragedy*, both *new* and *interesting*, drawn not from fable and invention, but founded on his own real adventures, and *hair-breadth escapes*.

Leaving, however, to the ridicule of mankind, this egregious dupe, the AUDITOR ‡, the most *fond*, *believing* fool of the age, I shall take a *comparative*

* Earl Talbot.

† Earl of Bute.

‡ The AUDITOR soon gave up the ghost. He died very little regretted by the world in general, but the kindness of the same partial friend and correspondent reached beyond death, and inscribed his tomb with the following lines:

view of some of the important articles of the two negotiations, in 1761 and 1762; and will, in a summary way, state what is restored to *England* and her allies, and what is yielded to *France*. As to *Spain*, I shall reserve that power for a separate consideration. The first important article, insisted upon by all the king's servants consulted in the most secret affairs of government, which has been since RECEDED FROM, is, that the French shall abstain from that particular fishery on all the coasts appertaining to Great-Britain, whether on the continent, or on the islands situated in the said Gulph of St. Lawrence, which fishery the proprietors only of the said coasts have constantly enjoyed and always exercised, saving always the privilege granted by the 13th article of the treaty of Utrecht. *Vide Memoire Historique*, p. 52. Now let us examine the negotiation of 1762. Article the third gives the French the liberty to fish in the Gulph of St. Lawrence, on condition that the subjects of France do not exercise the said fishery but at the distance of three leagues from all the coasts belonging to Great-Britain, and fifteen leagues from the coasts of the island of Cape-Breton, together with the liberty of fishing and drying on a part of the coasts of the island of Newfoundland. If the French are as attentive to their own interests, as we have ever found them, I will venture to affirm, that the Scottish minister has now made them a grant of the whole fishery, and consequently has endeavoured to restore their navy, and to ruin ours.

The state of the islands of St. Peter and Miquelon is as remarkable. The cession of Miquelon, in 1761, was absolutely refused, and the duke of Choiseul told Mr. Stanley, he would not insist on it, p. 59. Four indispensable conditions are annexed to the cession even of St. Peter; but by the Scottish treaty in 1762, St. Peter and Miquelon are ceded in full right, without any one of the four indispensable conditions. No English Commissary is now to be allowed to reside there; but our security is the present French king's royal word, for there is no kind of engagement whatever to restrain his successor. Such a cobweb tie has been the subject of ridicule to all Europe.

With regard to the indispensable object of Dunkirk, which the king (of England) has required, and still requires, p. 51. the town and port of Dunkirk shall be put in the condition it ought to have been put in by the last treaty of Aix-la-Chapelle. The CUNETTE was deemed of the utmost consequence to that port, and therefore the demolition was insisted upon. By the last negotiation, article the 5th of the preliminaries, the CUNETTE shall remain as it now is, provided that the English engineers, named by his Britannic majesty, and received at Dunkirk, by order of his most christian majesty, verify, that this CUNETTE is only of use for the wholesomeness of the air, and the health of the inhabitants.

As to Senegal and Goree, Mr. Stanley, on the part of the British ministry, in 1761, absolutely insisted on keeping both; for that Senegal could not be securely maintained without Goree, p. 27. and Monsieur Buffy was authorised to consent to the cession required by England; so that the exportation of negroes might be confirmed by France, by some expedients equally easy and secure, p. 46. Why was it not then by the royal word of England, since that of the French king is deemed so satisfactory, with regard to their not erecting fortifications in St. Peter, Miquelon, or Bengal? Goree, of the utmost consequence to the trade and security of Senegal, but more important still as a security to France, in the supply of negroes for the French West-Indies, is unnecessarily and scandalously given up by the Scottish negotiator.

As to the East-Indies, the negotiation carried on by the English minister, required that the perfect and final settlement should be made in conformity to certain rights absolutely appertaining to the English company, and must necessarily be left to the

Siste VIATOR.

DEEP in this bog the AUDITOR lies still,
His labours finish'd, and worn out his quill;
His fires extinguish'd, and his works unread,
In peace he sleeps with the forgotten dead:
With heath and sedge, Oh! may his tomb be dress'd,
And his own turf lie light upon his breast.

companies

companies of the two nations to adjust the terms of accommodation and reconciliation, &c. Till the whole was settled, *England* was to keep possession. The *Scot* has given us, in the 10th article of the *preliminaries*, a most fallacious agreement for *mutual restitutions of conquests*, which certainly includes *Pondicherry* on our side, and nothing on the part of *France*. Every conquest she made, has been retaken, and there is nothing she has now left to restore. Is not this abusing mankind in the most barefaced and unparalleled manner? Are not these glaring marks of a formed design in the new ministry, not only to amuse, but to deceive a brave and honest nation?

As to *St. Lucia*, an object of the greatest importance, the negotiation of 1761 not only refuses it to *France*, but declares the cession *by no means admissible*, p. 53. and the fact is, that it never was yielded till after the *duke of Newcastle* was driven out of the ministry.

Our magnanimous ally, the *King of Prussia*, appears to have been treated by the *English* minister with that good faith, which gives a lustre to any crown, and by the *Scot* with the most unbecoming chicanery, and the meanest, most despicable trick, and low fraud. *The answer of England to the ultimatum of France, in 1761*, says, *As to what regards the RESTITUTION and evacuation of the conquests made by France over the king's allies in Germany, and particularly of Wesel and other territories of the king of Prussia, his majesty persists in his demand relative to that subject, in the seventh article of the ULTIMATUM of England, viz. that they shall be RESTORED and evacuated*, p. 53. The *French* memorial of the 23d of July 1761, having proposed the keeping possession of the countries belonging to the king of *Prussia*, the answer returned by *Mr. Pitt*, in writing, on the 24th, and approved by all the king's ministers, was, *I likewise return you as totally inadmissible, the Memorial relative to the king of Prussia, as implying an attempt on the honour of Great-Britain, and the fidelity with which his Majesty will always fulfil his engagements with his allies*, p. 36. The *Scottish* minister has only stipulated, that *France* shall evacuate (not evacuate and restore) as soon as it can be done, that is, as soon as the *Austrians* are ready to take possession of them, the *fortresses* of *CLEVES, WESEL and GUELDRÉS*, and in general all the countries belonging to the king of *Prussia*. Article the 13th. In consequence of the latter part of the same article, *England* must evacuate and in fact restore the three bishoprics of *Munster, Paderborn, and Hildesheim*, which amount to 500,000*l. per annum*. But we are told that the dominions of our great protestant ally are to be scrambled for; for in an august assembly, that was the low, vulgar, and tricking phrase of the *Scottish* minister. This is a new kind of ministerial language, exactly conformable to the baseness and artifice of a mind capable of planning so despicable a fraud, whose pretended wisdom is nothing but that consummate hypocrisy and mean cunning, which men of real worth, sense, or honour despise, and will ever consider as an alloy, which may, indeed, make the fine ore go farther, but debaseth its worth and purity.

The *Prussian* ministers have most justly entered a formal protest against the contents of a treaty, no less shuffling with regard to our great ally, than injurious with regard to us. In fact, all our stipulations with *France* are to restore, and the countries belonging to the electorate of *Hanover*, to the landgrave of *Hesse*, to the duke of *Brunswic*, and to the count of *La Lippe Buckebourg*, are to be restored by the 12th article. Is the same care taken of *Prussia*?

I shall now only farther observe, that the negotiation of 1761 was carried on while the *Czarina* was alive, the affairs of the king of *Prussia* almost desperate, *Hesse*, &c. in the hands of the enemy, before the conquest of *Martinico*, the *Havannah*, &c. together with the capture of so many capital ships of war belonging to *Spain*. The decided superiority of *England* and her allies, in 1762, was such as might have commanded any terms; and therefore the whole exclusive fishery ought to have been insisted upon, according to what was earnestly contended for by lord *TEMPLE* and *Mr. PITT*, even in 1761. The sense of the nation is clear and strong against the present terms of peace. Very few addresses have been presented, although most of the *Lords Lieutenants* have had begging letters, entreat-

ing them to use their utmost influence. The *City of London* refused to *address* notwithstanding the *private* assurances of 14,000*l.* to complete the bridge, with this condition tacked to it. This will be recorded, to their immortal honour, when the descendants even of the *clothiers* and *manufacturers of Gloucestershire* * shall blush at the stupidity, the high flown nonsense, and servile flattery of their ancestors. That in so prosperous a state of our own affairs, and so promising to our allies, the most ignominious *peace* was patched up, is now in us a matter of just indignation, and *public spirited opposition* to the *minister*; and, I will venture to say, that our *posterity*, from a true sense of their own sufferings, and of the author of them, will execrate his memory.

Numb. XXXVI. Saturday, Feb. 5, 1763.

Præsertim, cùm sit hoc generi hominum prope naturâ datum, uti qua in familiâ laus aliqua fortè floruerit, hanc ferè, qui sunt ejus stirpis, quòd sermone hominum ad memoriam patrum virtus celebretur, cupidissimè persequantur.

CIC. pro Rabir. 2.

Especially, as the disposition of this sort of people is almost naturally such, that in whatever family any thing praise-worthy has happened to flourish, that family, those who are of this cast, because the virtues of its ancestors is perpetually in people's mouths, they most eagerly persecute.

TO THE NORTH BRITON.

S I R,

ALTHOUGH I never could be reconciled to the most absurd doctrine propagated with so much zeal by the *Tories*, that there is a *divine, hereditary, indefeasible* right in any family; yet I have remarked many *hereditary* virtues and vices, which seem to have been transmitted, with the family honours, by the father to the son, in a regular succession from age to age. The younger *Brutus*, who delivered *Rome* from the tyranny of *Cæsar*, was descended from the patriot stem of *Lucius Junius Brutus*, who expelled the *Tarquins*. His countrymen were continually making a kind of family claim on him to stand forth their deliverer, and to emulate the glories of his godlike ancestor. The whole race of the *Nassaus* has been renowned for a love of liberty and their country, for superior gifts of understanding, and for the most manly courage. Pride and bigotry have marked the imperial house of *Austria*, equally with the coarse big lip. I believe there is not one instance where this observation has failed in the male line; and in our time we have seen it hold good in the most *ungrateful* female descendant of a family, which has waged eternal war against the protestant religion, although they were sworn to tolerate it, and against the liberties and independency of the *Germanic body*, which they were under the strictest oaths to defend.

A sacred regard to the religious and civil rights of mankind, spirit, humanity and valour, have characterised the whole *Brunswic* line. Their competitors, the house of *STUART*, have been ever stigmatised as tyrants and cowards. The country, which gave them birth, has always regarded them in the true light; and the history of *Scotland* shews how little that nation is disposed to submit to any oppressions *at home*, though they have so often endeavoured to establish their own tyrants of this accursed stem, on the throne of *England*. It is *Bayle's* remark, after *Rivet* and *David Blondell*, that of 105 kings, who

* See the Gloucestershire Address.

reigned

reigned in Scotland, before Mary Stuart, there had been three deposed, five expelled, and thirty-two murdered.

The first prince of the house of *Brunswic*, who swayed the sceptre of *Alfred*, gave in many campaigns the most distinguished proofs of personal courage, and true heroism. His great successor at the battle of *Oudenard* put to flight the princes of the blood royal of *France*, and the Pretender. In the next generation the *Scots* contrived to give the world a fresh and striking proof of the superiority which the house of *Brunswic* has, and will ever, *I hope*, maintain over that of *Stuart*. At *Culloden* their sons met, but fought not; for the dastardly *Stuart*, at the beginning of the engagement deserted his faithful *Scots*, and fled before the *English* hero, to whom his illustrious house, and grateful country owe whatever they hold most dear. The rebel was chased from hill to hill, and skulked as an out-law in the kingdom he impudently laid claim to, confiding not so much in the natural strength of the country, as in the hearts of the natives, till at last he made his escape to the old friends and allies of his nation and family, the *French*.

Other families likewise of noble, though not royal, descent, have in a glorious manner followed the great examples set by their ancestors. The Earl of *Devonshire* publicly avowed the inviting over the prince of *Orange* to rescue these kingdoms from the arbitrary designs of a *Stuart*. At the end of the reign of queen *Ann*, that nobleman, and the great *Somers*, were offered up as victims to liberty, by the faction of the *Tories*. Even then, he dared to move the house of Lords for leave to bring in a bill to settle the precedence of the most illustrious house of *Hanover* in *Great Britain*. His great descendant, one of the most amiable and unspotted characters of this age, a true friend of liberty and the constitution of his country, we have seen rudely thrust out; and Sir *John Philipps*, who never possessed one spark of the ancient *British* fire, but by an infernal zeal was instigated in the time of the late rebellion to endeavour to procure the glorious association to be presented to the King's-Bench, as an illegal levying of money on the subject without an act of parliament, has been brought into his majesty's councils. Is it that he may meet there another great constitutional lawyer, who, in all his pleadings before the battle of *Culloden*, called his countrymen only the *Scottish* army, though ever since that decisive victory he has termed them what we did before, *Scottish rebels*? Had the association been deemed illegal, and the rebellion succeeded, Sir *John's* merit with the successor had been clear, and a long life of opposition to every measure of government in the *Brunswic* line, had given him a just title to favour from a true *Stuart*. His principles of justice and legality, with his wonderful gravity, might perhaps have made him president of some high commission court in *Wales*, and with the aid of other baronets of that country, a *Hanoverian* would soon have been as rare among them, as a true *Whig* ever was. Perhaps, however, I mistake, and the merit of Sir *John Philipps* with the *Scottish* minister may be, not so much the having opposed the association, nor the kind law advice he gave gratis in 1746 to so many of the rebels, as the resuming his bar-gown to plead for another *Scot*, the honourable *Alexander Murray*, Esq; when he was committed to *Newgate*, by the House of Commons, for a high and most dangerous contempt of the authority and privilege of the house, of which the spirited Sir *John Philipps* before that time used to give himself out as the undaunted protector.

It is to be regretted, and I make the remark with the deepest concern, that some of the considerable men of this age have not before them that great incitement to virtuous actions, the example of their ancestors. I shall confine myself to one glaring case, because it cannot be disputed. The memory of Sir *Stephen Fox* is not, I believe, so precious to his family, as to have excited any one of his descendants to any one virtuous action. In the debates of the House of Commons, collected by the honourable *Anchitel Grey*, is an account of Sir *Stephen Fox's* infamous bribery of the parliament preceding that in 1679, when the enquiry was made, and the charge brought home to several of the members. The house being informed of several sums of money paid to some of the members of the last parliament,

parliament, by Sir Stephen Fox, &c. Vol. 7. p. 316. Sir Stephen at first fenced with them. He alledged, that as he was no Exchequer Officer, there were no footsteps of his payments, and he gave many running insinuations, p. 316. However, in the course of his examination, he confessed, *I have paid much money for SECRET SERVICE; but for these FOUR YEARS I HAVE PAID NONE. I have paid it as the king's bounty, and under such other titles, but not as members of parliament,* p. 316. THIS WAS NOT AN EMPLOYMENT I DESIRED. I NEVER SPOKE, nor was adviser; but I was directly to issue out money, as I was ordered, p. 318. This confession was not obtained till he had no dependence more upon that unfortunate person now under the obloquy of the nation, p. 317. Mr. Boscawen, one of the members, very justly observed, *If this place,* meaning the House of Commons, *has been corrupted, it is God's great mercy that such a House had not delivered up the nation to arbitrary government.*

I must, from that caution and circumspection, which I trust the wary NORTH BRITON will ever preserve, and from the hope of preventing malicious applications, declare that all these quotations solely respect the parliament immediately preceding that of 1679, and have no respect to any subsequent parliament whatever. As to the present Mr. Fox, I should think it almost criminal to suspect him only because his father was so deeply concerned in such a scene of villainy; and surely, Tully discovered his own malignity, rather than his knowledge of human nature, when he observed, *hoc ille natus, quamvis patrem suum nunquam viderat, tamen et naturâ ipsâ duce, quæ plurimum valet, in PATERNÆ CULPÆ SIMILITUDINEM deductus est.* It must be admitted that this very Sir Stephen Fox DROVE that mild Scottish prime minister, duke Lauderdale, and almost overturned the machine of government; but surely this can never be set up as an hereditary right in Mr. Fox to drive the present gentle minister of the North in the way he now does.

I own I cannot entertain any conception of Mr. Fox's being quite so profligate as the ingenious Mr. Horace Walpole represents him, (and in print too) in a *World* extraordinary, addressed to his wife, the right honourable lady Caroline Fox. Mr. Walpole observes, *his passions are very strong: he loves play, women more, and one woman more than all.*—Is this panegyric? I hope Mr. Walpole meant by the *one woman* lady Caroline; but surely, this is a most wonderful compliment to be addressed to a gentleman's wife, that her husband loves *play* and *women*. His other *passions* we are left to guess. Mr. Walpole proceeds to tell us, *I say nothing of his integrity, because I know nothing of it*—nor I neither. I cannot, however, go on as Mr. Walpole does, *that it has never been breathed upon even by suspicion*; because Mr. Walpole and I know the contrary. He likewise vouches to us that Mr. Fox is *as bravely sincere as those who take, or would have brutality taken for honesty.* I do not quite understand Mr. Walpole, and much question if he understood himself. I have no idea of Mr. Fox's being *bravely sincere*; but I really believe him *sincerely brave*. Mr. Walpole is happier in the description of Mr. Fox's person. He says, *His bended brow at first lets one into the vast humanity of his temper.* Another painter might, from a slight, transient view of so gloomy, fullen, and lowering a brow, which seems overhung with conceit and superciliousness, have guessed at the dark, crafty inhabitant within, and have prefaced, from a most unfortunate scowl, that much deceit and treachery lurked in a black, malignant heart: but Mr. Walpole tells us that he has *succeeded in drawing the picture, and that his talent is not fluttery.* I beg, *en passant*, to know what this gentleman's talent is?

Mr. Fox, according to Mr. Walpole's account, *makes his worth open upon you, by persuading you that he discovers some in you*; so that all Mr. Fox's worth actually consists only in what is truly the worth of others. How much, Mr. Walpole, is he really worth?

Very unhappy do I feel myself thus to disagree with so great a judge of men and things, as Mr. Horace Walpole. I once before ventured modestly to hint my doubts of the justice of his opinion, that the Scottish nation was *endowed with a superior partition of sense to the English.* Mr. Walpole in vain will endeavour to prove

prove it from all the *unkingly writings* of *James* the First; but as twenty-six *Preliminary Articles of Peace*, signed at *Fontainebleau*, in November last, of true *Scottish* manufacture, have since appeared *by authority*, I now give up that point.

With respect to the present *trifling* dispute about Mr. Fox, I submit that to the gentlemen of the *Cocoa-Tree*; because they have been so wonderfully enlightened of late as to his great political merit. Mr. Fox has very dexterously cajoled them, and Lord *Bute* has fed *them*, or where the stupid, old *Tory trunk* was almost sapless and rotten, has fed their sons and nephews with loaves and fishes. In the affair of the *Mitchel* election, which was the most sensible thing they ever did as a party, for they shewed their strength as well as their venom, Mr. Fox was the constant topic of their virulent abuse; and they are undoubtedly the most foul-mouthed hounds of the whole pack. They never loved the Duke of *Newcastle*, nor can with sincerity love any friend of liberty and the Protestant succession; but they then declared that they would support the Duke of *Newcastle* against Mr. Fox, because they had rather have their *pockets picked* by his grace, than their *throats cut* by Mr. Fox. I honour their zeal: *laudo manentem*.

I am, &c.

Numb. XXXVII. Saturday, Feb. 12, 1763.

Repugnante CÆSARE, sed frustra adversus duos, instauratum,
Sullani exempli malum, *Proscriptio*.

VELL. PATER.

Against CÆSAR's will, but in vain opposed to two persons, that baneful example of Sylla's was revived, called a Proscription.

THERE is no study more entertaining or instructive than history; nor is any history so applicable to our own government and times as that of ancient *Rome*. We clearly see in it the fatal rocks and shelves upon which a great and flourishing empire was wrecked; and by a careful attention, we may, perhaps, be able to prevent the like danger. The experience acquired from the misfortunes of others, *Polybius* says, is the safest, though the evidence and conviction arising from our own, is the most forcible. To enumerate the various causes of the decline of the *Roman* empire, would far exceed the limits of my paper; it will suffice, that I point out such only as were the principal and immediate forerunners of her slavery and ruin. Where any of the same symptoms of danger shall appear in our own body politic, I will, as becomes a watchful and an honest centinel, communicate the alarm to all true *Englishmen*, and lovers of their country.

From the annals of *Rome* it appears, that her ambitious nobles, however at times checked by the integrity and wisdom of the *senate*, were still going on to pare off something from the commonwealth. It remained only to beat down that barrier against lawless rule, to *bribe*, *intimidate*, and at last to *proscribe* the most spirited, experienced, and honest friends of the public. The work of destruction was then compleated. When *Pyrrhus* attempted to corrupt the *senate*, not a single *Roman*, in those days of public virtue and national honour, would take the vile wages of prostitution. The more subtle *alien*, *Jugurtha*, found means to melt their stubborn virtue, and by the dint of *secret service* money gained over a flagitious party to espouse his shameful cause. His exclamation, when he left the mercenary capital, is well known; *O venal city, devoted to immediate destruction, if thou shouldst find a purchaser!*

G g

In

In our own memory, there has been a time, when the sum of *twenty-five thousand* pounds issued from a certain place, upon a *certain* article, gave too just cause for melancholy reflections. By what magic influence and fascination of mind was a former parliament induced to gild with gross and fulsome panegyric the infamous treaty of *Utrecht*, whilst the traitors, who made it, were held in utter detestation by the honest and discerning nation? I must desire, professing always a regard to decency, as well as to my own safety, that I may not be misunderstood; for there is nothing farther from my intention, than to insinuate that there is the least similitude between the circumstances of last December, and of June 1713.

In this *golden age*, metaphorically I mean, of virtue, who could dare to suppose that we have any thing to fear from that too skilful and sure pioneer, Corruption? No: if the minister was wickedly inclined to practise it, there is a person, we all know, who will never be prevailed upon to suffer it. Examine well the present administration; is it not composed chiefly of the choicest patriots, men of long experience in business, and of unshaken loyalty? Have we not at the head of our finances, the *experienced*, the *eloquent*, the *able* Sir Francis Dashwood? At the head of our admiralty, that great favourite of the navy, Mr. George Grenville? At the head of our *pensioners*, lord Litchfield, &c. &c. &c. They have ever declaimed loudly against *pensions*; they have represented all employments held at the pleasure of the crown, as little better than splendid badges of dependance and abject slavery. We may repose, with entire confidence, on the chaste and scrupulous integrity of the knot of *Tories*, *Scottish* members, and *Scottified English*, who now constitute, by an amazing concurrence of unexpected incidents, the present virtuous majority in parliament. These gentlemen, we must confess, had, in the worst of times, a natural *penchant* and predilection for each others merit. The famous colonel Cecil, of the *Cocoa-Tree*, upon his examination in the late rebellion, declared, that the ministers of *France*, which was then on the point of invading us, expressed the utmost joy at the entire union between the *English* and *Scottish Jacobites*. In these happier days of universal loyalty, how lovingly do they concur, in the support of the prerogative, and of his majesty's undoubted title to the throne of these kingdoms? Must not the *Duke of Choiseul* and the *Marquis of Grimaldi*, as they are become our exceeding good friends, be in raptures, on account of the strict harmony subsisting between the whiggified *Tories*, the torified *Whigs*, and the amphibious *North-Britons*?

The next political battery, employed against the *senate*, was that of *intimidation*. The conjunction of *Pompey*, *Cæsar*, and *Crassus*, proved much more fatal to the commonwealth, than even their opposition would have been. Under their unconstitutional administration, merit was no recommendation; nor was innocence any protection. All offices and places were given from the motives of interest or party. The wise and honest were driven from all participation of government. *Cato* was sent away for being too virtuous, by that tool of power, the profligate *Clodius*; and *Cicero*, for being too able, was forced into banishment.

This second engine of despotic power has rarely been played off in *England*, since the accession of the house of *Hanover*. A principle of conciliation and forbearance was the distinguishing characteristic of our two last kings, and of their ministers. To rule by love and not by fear, over free and willing subjects, was judged by them the wisest policy. The present *mushroom* minister, sprung thus suddenly from a hot-bed, disdains to walk in that old beaten track. The plan of the *Triumvirate* appears to him in every respect preferable. *Oderint, dum metuant*, is his rule of action. The hatred of the nation he despises, provided he can operate on our fears. The most eminent lawyers have been feed, to find mistakes and flaws in patents, granted for the security of the liberties of the subject, and which for ages have been esteemed not only valid, but even sacred. His insolence and cruelty have put this menacing alternative, *Renounce all ties of honour, consanguinity, and gratitude, or else some sycophant belonging to myself shall have your place*. The secretary * of a certain board, a very apt tool of ministerial perse-

* Samuel Martin, Esq.

cution, with a spirit worthy of a *Portuguese* inquisitor, is hourly looking for carrion in every office, to feed the maw of the insatiable vulture. *Imò etiam in senatum venit, notat et designat unumquemque nostrum*: he marks us, and all our innocent families, for beggary and ruin. Neither the *tendernefs of age*, nor the *sacrednefs of sex*, is spared by the *cruel Scot*. The widow of one of the most meritorious * men of this kingdom, was told her doom; but our great deliverer, from the noblest motives of gratitude to his deceased friend, there interposed, and saved her from the threatened ruin. Proceedings equally violent and unprecedented, and so highly dangerous in their direct tendency, cannot fail, in time, of becoming the objects of parliamentary enquiry.

If then *corruption* and *intimidation* had paved the way to arbitrary power amongst the Romans, the invention of *Proscription* by *Marius* and *Sylla*, repeated too successfully by the last Triumvirate, gave the finishing stroke to their expiring liberties. The dictator *Sylla* proscribed two thousand knights and senators, with a cruel joke, that they were all he could just then recollect, but that he reserved the punishment of others till he could remember their names. Satiated at length with vengeance, blood, and power, he gave up his usurped command; and what was indeed extraordinary, the people permitted him to die peaceably in his own bed.

The evil example of this *Proscription* was renewed by the last Triumvirate. At their first meeting the young *Octavius* resisted so inhuman a measure; but, when his pretended squeamishness was over-ruled, he outstripped them both in wanton barbarity. Historians agree that *Lepidus* was a weak, inconstant man; that he was raised, without the merit of one single virtue, to so high power, and infamously abused the most glorious opportunity of serving his country, to the ruin of his country and himself. *Mark Anthony*, the third Triumvir, is painted to us as a composition of the most furious passions, ambitious, profligate and vindictive. His associates, were pimps, bankrupts, gladiators, and all men of the most infamous characters. The abandoned *Clodius*, and the lewd *Gabinus*, were his bosom friends, and dearest companions. The effects of this fatal coalition are well known. Three hundred senators, and two thousand Roman knights were doomed to die for a crime the most unpardonable to tyrants, their warm and steady support of the cause of liberty. The patriots lost their lives, and with them perished the liberties of *Rome*.

Happy *Britain*! in whose well-poised government such scenes of violence and horror are not now to be apprehended. Happy in a monarch, who crowns all his virtues with lenity and moderation. When the relentless hand of power shall seem to fall too heavy on the subject, we know to whom the rigour ought to be imputed. The world will place it always, as it does at this particular crisis, to the account of an hot-brained and over-bearing minister; or, not to be unjust, I should make use, I very believe, of the dual number, and lament the tyranny of the DUUMVIRATE. There are but few, I may venture to assert, who do not regard the many late removals of respectable and worthy persons from their employments as a persecution, and indeed, a sort of *proscription*.

The ministers, who club their wisdom and their power in this *chef d'œuvre* of politics, appear in general to the nation in the odious light of *Cossacks*, exercising a domestic *Dragoonade*, and looking out for plunder for their creatures and dependants. Of what crime or misdemeanor has the ancient † bulwark of the house of *Hanover*, the faithful and disinterested servant of the great-grandfather and grandfather of our most gracious king, been guilty, that not he alone, but all his innocent relations and well-wishers, are marked out to their indignant fellow-subjects as the most outrageous and unpardonable offenders? The public waits impatiently to learn the mighty accusation. Have then his grace, and his most noble friends, been complicated in the foul practice of rebellion? No; that perfidy has never been, nor ever will be imputed to any of *them*; or if they had, such is the extraordinary clemency of these times towards the sons of rebellion,

* *Stephen Pointz*, Esq; formerly Governor to his Royal Highness the Duke of Cumberland.

† The Duke of Newcastle.

they would undoubtedly have been forgiven. Do we not daily see the families of those, who were deeply concerned in the last desperate attempt to overthrow our liberties and constitution, and to fix the crown upon the head of a Papist, admitted into favour, and even advanced to preferment? What then has the noble *Duke*, with all the victims to ministerial rage, committed? They have ventured to declare, no matter in how decent a manner, their humble sentiments, that, though the work of *peace* was owned to be a most desirable object, yet, that the precipitate and blundering manner, in which it had been conducted, was by no means worthy of a national or parliamentary commendation. If a conduct so moderate and defensible as this; if to differ ever hereafter with an upstart minister, is to be construed as a *crimen læsæ majestatis*; if the giant *Prerogative* is to be let loose, and stalk about, to create unusual terrors, and inflict unpractised punishments; if the fiercest thunderbolts of Jupiter are to be launched by a low miscreant against the slightest offence, and even against innocence itself; if the favourite motto of the *North*, the *nemo me impune laceffet*, is to be adopted by a minister as the future rule of government in our once happier *South*, we may then boast, as much as we please, of our invaluable liberties, purchased with the blood of our heroic ancestors; but let us watch them narrowly, lest, before we are aware, they should soon depend upon too flight a thread. One consolation, however, is still left us, that so severe an exercise of the *extreme right of prerogative* cannot fail of recoiling soon upon the heads of those impetuous and rash ministers who first advised it. The chariot of the sun, which they have borrowed, will be theirs but for a day. They may, for a short time, endanger our little world; but their own ruin will be the certain consequence. Their fall will be unpitied; their memories for ever detested.

TO THE NORTH BRITON.

S I R,

“ The AUDITOR made us wait from *Saturday* to *Tuesday* while he was *hatching* another infamous falsehood. I affirm that there never was any quarrel between the baronet in the North, and the gentleman supposed to be alluded to. The circumstances belong to another person, *very lately deceased*, * who gave the affront, and was afterwards chastised by the baronet. The gentleman was not present at either, though he was at another *election fray* afterwards, and at a few previous, in the same year 1754. The story in the AUDITOR is false. † The baronet himself will do justice to the gentleman’s character in that whole transaction.”

Feb. 9. 1763.

I am yours, &c.

* *Coulson Stowe*, Esq.

†—THE Gorgonian masque (which is the third lot) is wholly engrossed by Colonel Cataline. I know some people are of opinion, that he does not stand in need of any such assistance, and that he is sufficiently endowed by nature; but I never can think that face his own. The *Fædi oculi*, that vile cast of the eye, and that entire physiognomy, can never be natural. Besides, mere human impudence would be feeble, without a Gorgonian incrustation, and shrink back from the indignant eye of mankind. After being kicked and buffeted by a Baronet in the North, is it possible that he should now dare to talk of men bravely sincere and sincerely brave, while the unatoned marks of infamy are still glowing and tingling on his shoulders, if he were not wrapped in more than tenfold brags? Could a bare face endure the observant looks of that very assembly, to which he resorts for no other purpose, but to mark out one of them for his scurrility on the *Saturday* following? But of the Colonel I shall say no more at present, being determined to devote an entire paper to so extraordinary a character.

AUDITOR, No. XXXVIII.

N. B. This was the last number of the Auditor.

Numb.

Numb. XXXVIII. Saturday, Feb. 19,
1763.

Italiam, fato profugus, Lavinaque venit
Littora.

VIRG.

Driven by fate, a fugitive he came
To *Albion's* clime, and *England's* happy shores.

Dear COUSIN,

WE have heard with infinite satisfaction of the most promising state of our affairs, not only in our *antient* kingdom of *Scotland*, where, indeed, our interest has always been deeply rooted in the hearts of our subjects, but likewise in *England*, where, till of late, we have never been able to entertain any well-grounded hope of recovering our just claims, and regal rights. Every thing, through your benign influence, now wears the most pleasing aspect. Where you tread, the *thistle* again rises under your feet. The sons of *Scotland*, and the friends of that great line of the *Stuarts*, no longer mourn. We have had the truest pleasure in hearing of the noble provision you have made for so many of our staunch friends, and of the considerable posts, both of honour and profit, which you have bestowed on them. We no less rejoice at this than at the *proscription* you have made of our inveterate enemies, the *Whigs*, and the check you have given to that wicked *revolution spirit*, as well as to the descendants of those who have impiously opposed our *divine, hereditary, indefeasible right*. With this *spirit* we know the title of the family in possession must fall, because it is their only firm foundation, and therefore we thank you for blasting it, and forcing out all who were in any degree thus actuated, or inspired. We thank you too for giving the power to so many of those, whose family estates were nearly ruined by a steady opposition, for almost half a century, to the house of *Brunswick*; and we rejoice to see them begin to revenge themselves on their enemies and oppressors. We hope that no consideration will divert you from your purpose, on the present vacancy, of recommending our noble friend, lord *Elibank*, to be one of the *sixteen peers of Scotland*. We have no small obligations to him, as well as to his brother, Mr. *Alexander Murray*, and the rest of the *WORTHY independant electors of Westminster*. Let not poor Sir *George Vandeput* starve. He and Mr. *Dobyns* the upholsterer, are my two only friends of all the *subscribers* to that glorious cause, who are yet unprovided for by you.

We lament that our dear country for so many years has been exposed a prey to foreign invaders, and domestic traitors. We made repeated efforts to relieve it from the tyranny of the one, and to secure it from the malice of the other. Our *last attempt* you were no stranger to, nor to the causes which rendered it abortive. The *former* you do not remember. The truth is, they were both formed on a wrong plan, and we inconsiderately undertook to bring about by foreign assistance what can only be effected by domestic union among *our friends*, and by putting them in a condition to give the law to our unrelenting enemies. This you will best accomplish by creating *divisions* among these our refractory subjects, which you have most successfully begun. The native courage of our people is such, that they can only be subdued by themselves, and valour is so congenial with their very being, that it remains with them, when *heaven* has forsaken them, and even permitted them to trample under foot the *rites* of our holy religion, and to bid our *holy father* defiance. Our dear sister, the *apostolic queen*, has justly called them, *ces braves impies*.

H h

We

We never can forget the warm wishes and kind remembrances of our friends in the year 1745, at the *Cocoa-tree* and at *Oxford*, in a part of our old principality of *Wales*, and almost in all our ancient kingdom of *Scotland*. When that traitor, *John Murray*, a disgrace to the name and family, impeached so many of our good friends on the trial of *Duke Lovat*, the alarm in our royal breast cannot be expressed. We have read those proceedings, set forth by pretended authority, with the utmost horror. After the name of one *Welch* baronet, *Sir Watkin Williams Wynne*, our royal tenderness for another made us tremble to think what might have followed, but the noble lord *Talbot* stopped the traitor's tongue, suppressed the rest of the evidence, prudently kept other names sacred from the public ear, and would not suffer the villain to go on to calumniate * the character of several gentlemen, who were his worthy friends †. The impartial public, however, did justice to the zeal of the noble lord's friends in our cause; and though some of them have, since that unfortunate æra, been more prudent, they have not been less in earnest; and notwithstanding a few short transitory gleams of court sunshine, we shall ever consider them as our own. The steady baronet, who, like others of his name, has been preferred for his wit, did indeed accept no inconsiderable place under the late usurper, and in consequence renewed the sanction of the most solemn oaths against us; yet his innate loyalty never for a moment deserted his faithful breast, and even since that time he has encircled his glasses with our white rose, and has engraven on them, what is still deeper engraven on his heart, the true orison of the Tories for the accomplishment of their wishes, no less than of our own, the comprehensive FIAT. We are extremely happy to hear that he is at present in the *Privy Council*; and we do promise, on our royal word, that he shall be continued in it on our RESTORATION.

The happy progress you have so speedily made to give all power into the hands of your countrymen, is matter of true joy to us, and gives us the most promising hopes that they will soon rise superior to all resistance, which can be made, either by the obstinacy of those, who have ever been our enemies, or by the new favourers of a bold intruder on the indefeasible rights of our true line, and unalienable possessions of our ancient inheritance. They will always be asserted with dignity by our august family, and we are the more assured of it, because another noble Scot, our cousin, lord *Dunbar*, of the loyal stock of *Murray*, when he was groom of the stole to his royal highness, formed the mind of our most dear son, *CHARLES*, prince of *Wales*, to all virtues, and, above all, to the two princely virtues of our race, strict æconomy and exemplary piety. We have already given the green ribband to this distinguished friend of our son, but we have gracious intentions of bestowing on him likewise the GARTER, should it not interfere with any of the blood royal of *Stuart*.

We thank you for the favours you have shewn to so many of our friends, whom we have seen in our exile. We retain the most lively sense of the professions of attachment, which we personally condescend to accept at our court here from so many of the old interest. We have reason to be satisfied with more than one *Dashwood*; and we enjoin you to go on to heap your favours on all that party.

Yet, dear cousin, we must acquaint you, that your friends here are unanimously of opinion, that in some things you have deviated from that regard to your own interest, and prudent attention to your own power, which seem in general to have governed your conduct. You have too soon dropt the masque. You have not justly weighed the true temper and dispositions of our enemies about you. They have acted towards our predecessors like wanton boys, tugging at the end of a rope, who will not desist till they find it slackened by him who holds the other end, and then they are content to let it go. The expe-

* Vide *Lovat's Trial*.

† In *POPE* —'s reign these fruitless lines were writ,
When *Ambrose Philipps* was prefer'd for wit.

rience of this was happily made by our *uncle*, but most unfortunately neglected by our *father*. Do not aim too soon at the *ministerial despotism* we know you have in view. You may, by too large strides, miss your footing; and if you do, *we* are irrecoverably undone, and *your* fortunes will have a tragical end. The annals of *Scotland* are already more stained with blood, than those of any country in *Europe*, and horrid butcheries disgrace every page of her history.

If ever you are pressed to give your assent to an enquiry into the past management of the public revenue, avoid the yielding to it as long as possible: it will fatally recoil on yourself. If you are at last forced to give up the point, boldly promise a *commission* of all public accounts. You may afterwards swear that you only engaged for a *committee*, and never thought of a *commission*. The *poor creature*, who will seem so very earnest in it, will be easily duped. Perhaps, indeed, he will desire to be duped. You may make the most pompous professions of the sacredness of your promise at the very moment you are violating it. The house of *Stuart* has always claimed, and exercised, a *dispensing power*, as to promises, oaths, and vows; and you are indeed, dear cousin, full blood to us. If there is any one, whom you allow, as your *factor*, to share in some degree your power, instruct him not directly to oppose it, but let him endeavour to postpone it to another year, *for all the accounts of the war will then be closed*. Let him urge that *it should not now be gone into, nor should a negative be put upon it*. The *evil day* should be put off both from you and him. If, however, it must come on, give good salaries to all those who shall be named to take the public accounts. This will not only protract it, and you will be able to provide for a *nest* of our old friends the *Tories*, till they are all gently *wasted* into places of ease and profit.

We have deeply meditated on the public *odium* which has ever pursued you. We must tell you that this has not been the pique of a senseless and outrageous multitude, nor a flame raised by the breath of private whispers. It has arisen from the indignation of the *wisest* and *most virtuous* of our people, who have lamented your incapacity, but have abhorred your *guilt*, and blushed at the *dishonours* which they have cursed you for their being reproached with among the nations of *Europe*. You ought, dear cousin, to reflect that the party which opposes our interest, is great in numbers as well as in rank and fortune. Their abilities too are incomparably superior to those of *our friends*, their experience in every department of public business much greater, their characters more respectable, and their persons favoured by all, but those whose principles in government are the same with *yours* and *ours*, and in religion differ but little from us. The subordinate ranks among them must, as yet, be considered as a part of the community not safely to be depended upon, till it please heaven to subdue their minds to a perfect and ready submission to a superior power, and to quell that high, uncontrollable spirit of liberty, which the *English* dare to claim as their birthright, and in every age endeavour to make their first distinguishing characteristic.

As to the *military*, you are desired, dear cousin, to make it as numerous as possible. There will be ample provision for your *needy countrymen*, who are so devoted to *you* and to *us*. Never regard the finances of the country. First consider your own safety. This is the more necessary, as you do not know how soon all may be insufficient to protect you from an enraged multitude.

As you have the command of every thing, deal out the most boundless largesses, yet preach up *economy*, and, in all trifles, practise it; however never cease parading on every article. Abuse likewise all your predecessors, and extol yourself as the model of all virtues. Your creatures are bound to believe, and to propagate that faith.

Our royal house has been long wedded to calamity, and we have drank deep of the cup of bitterness. The frowns of heaven have been severe upon us. The solemn curse of the first of our family, who ascended the throne of *England*, seems still to hang upon us: *If I spare any that are found guilty, in the case of Somerset, whom he did spare, God's curse light on me and my posterity for ever*. Every attempt for our relief has, as in consequence, been said by heretics to have

have providentially miscarried. A gleam of hope at length breaks upon us; for though the usurper at present *has got our crown, he has got all our ministers too.*

Given under our sign manual and privy signet, of the THISTLE, at our court at Rome, the second day of January, in the sixty-third year of our reign. J. R.

Countersigned *James Murray.*

Numb. XXXIX. Saturday, Feb. 26, 1763.

Ante hæc durissima tempora reipublicæ nihil aliud unquam objectum est, nisi crudelitas illius temporis. CICERO.

Before those very bad times, nothing else was ever objected but the cruelty of that age.

THERE is a great resemblance between the histories of most nations, whose forms of government are nearly similar. All the free states of *Greece* experienced the same kind of internal convulsions, and their final destiny was the same. The resemblance between particular periods of history, in different states as well as in the same body politic, is sometimes remarkably striking. There are few passages in the *Roman* history but find their exact parallels in our own. *Oliver Cromwell* plays the same poor farce (and acts it as ill) in his refusal of the crown from a committee of parliament, as *Julius Cæsar* had before done on a like offer from *Mark Anthony*. The comparison of particular periods of the history of the same nation is still more just, and an argument may be drawn from it with more truth and precision, because it is founded in the genius of the people, and the form of the government.

I must own, that at present I am struck with the close similitude between the four last years of queen *Anne's* reign, and the present times. The nation was then in a war with *France*, which had been carried on with amazing success, and indeed, very little remained to be effected to reduce that exorbitant power, which had threatened the liberties of mankind, within the most moderate bounds. All these just and glorious hopes were blasted by the infamous peace of *Utrecht*, which completed the disgrace of the sovereign, and the dishonour of *England*; for it was attended with ignominy to ourselves, and with the most shameful breach of faith to our allies. We have lately been engaged in a war with the same power. It has been carried on with, at least, equal glory; but for all our blood and treasure, we have only the wretched present of the preliminary articles of peace signed at *Fontainebleau*, with a promise that the gross faults which have been pointed out to an ignorant minister, and which would have disgraced a *Tartar*, or a *Sclavonian*, should be amended. THIS HERE lord-mayor * of London, in an elegant and masterly speech, publicly declared, that the present peace was in every respect more infamous than that of *Utrecht*; and that he was ready to prove THAT THERE peace was LESSER to be found fault with. He did accordingly, from the duty he owed to his fellow-citizens, and from his steady, admirable uniformity of conduct, summon a common-council expressly on that great occasion, to explain and enforce with patriotic zeal the important cause of their meeting, and propose an address to the legislature, to stop in time the progress of so alarming a negotiation, founded on the strong evidence of the preliminaries. This was his clear duty, and this he nobly discharged. The city must ever with gratitude look up to him for taking the lead in so manly a

* William Beckford, Esq;

way, as became their first magistrate, thus called upon in such a cause, by that love of his country, which in him still rises superior, unshaken, and unseduced by all the *arts* and *caresses*, as well as by the *lavish promises*, of courts and ministers. Great in himself, and in a legion of public and private virtues, he despises all *honours*, as the vile traffic of courts, nor has he a wish to change a *title* only *temporary*, for one *hereditary* and *perpetual*. He will therefore never lend himself to *prop* the minister who made this *infamous peace*, as he terms it; but will, I am persuaded, continue steady, indefatigable, and animated in an opposition to him.

As the two *Treaties* are so much alike, there is also a wonderful similitude between the *two ministers*, who fabricated the two treaties; the *lord High-Treasurer*, and the present *first lord of the Treasury*. The true reason with both was the preservation of their own power. The ostensible reason to the public has, in both cases, been the same, and equally false, that the nation was not able to carry on the war. The *earl of Oxford* and *earl Mortimer*, opened his plan of power, and drew in the enemies of the constitution to support him, by abusing the *revolution*, and its great author, *king William*. The present minister has been equally industrious in procuring the vilest hirelings to revile the *good old king*, and all whose families brought about the *revolution*, and who have steadily supported the family on the throne against the Pretender. It is remarkable, that only at one period of her reign, at the beginning of 1708, when the *queen* was alarmed by the arrival of the Pretender at *Dunkirk*, and the preparations made for his landing in *Scotland*, the *revolution* was mentioned in terms of approbation, and the friends of it, in that day of danger, were considered as the only firm security of the throne. In the answer to the address of the house of lords, the *queen* says, "I must always place my chief dependence upon those, who have given such repeated proofs of the greatest warmth and concern for the support of the REVOLUTION, the security of my person, and of the Protestant succession." How thoroughly *Scotland* was at that time tainted with *Jacobitism* quite through, even to its *rotten core*, a famous *Scottish* historian shall tell. *Lockhart* of *Carnwath*, in his *Memoirs*, p. 343, says, "People of all ranks were daily more and more persuaded that nothing but the restoration of the royal family, and that BY THE MEANS OF SCOTSMEN, could restore them to their rights: so that now there was SCARCE ONE OF A THOUSAND that did not declare for the king, (*anglicè* the Pretender) nay, the Presbyterians and the Cameronians were willing to pass over the objection of his being a Papist; for, said they, according to their predestinating principles, God may convert him, or he may have Protestant children." And again, in p. 344, "On ALL occasions, in ALL places, and by ALL people of ALL persuasions, nothing was to be heard throughout ALL the country, save an universal declaration in favour of the king," that is, the *Scottish* king. One of the first addresses to his present majesty, from the most eminent in the opposition to his family, makes his majesty's *hereditary* right the *only* principle of their loyalty.

Another topic of *their* abuse has been our allies. In the *queen's* time the odium fell on the *Dutch*: in our own, on the king of *Prussia*. The same reason was equally strong in the two cases; for both warmly concurred in the support of all our measures against the common enemy, *France*.

When that *Earl Mortimer* had in effect seized the crown, he removed the two most eminent persons who ever appeared in their different stations, the duke of *Marlborough*, and the earl of *Godolphin*. *Burnet* says, "the wise management of the one at home, and the glorious conduct of the other abroad, one would have thought, would have fixed them in their posts above the little practices of an artful favourite, who had not shewn any tokens of a great genius, and was only eminent in the art of deluding those that hearkened to him." That *Earl Mortimer* drove from his sovereign's councils all the great and eminent men of that reign. He turned out most of the *lords lieutenants* of the several counties, and removed almost all the *Whig justices of the peace*. We too have seen several of the first characters among the *English* nobility removed

from being his majesty's *lieutenants* in several counties. There is yet no alteration as to the *justices of peace*. The change in those commissions is reserved for a change in the possession of the Great Seal, which is at present in the hands of an *Englishman*.

That *Earl Mortimer* removed a considerable number of the *Whigs*, and the friends of the *revolution*, and gave their places to professed *Tories*, and to the enemies of liberty. The present minister has made almost a total resumption of all the appointments to places in the hands of the *Whigs* whom he disliked, and has ruined many families, who have no other guilt than the being put in by the friends of the late *truly patriot* king. A nature so unrelenting, and a temper so despotic, were never before seen and felt in a first minister of this country.

As soon as that *Earl Mortimer* had effectually secured his interest with the *Queen*, he kept her in a state of imprisonment, and suffered none but his own creatures, to be about her person. The sovereign was then actually in a state of thralldom, and what is infinitely the worse kind of slavery, was held in a captivity of the understanding. The royal mind was enslaved in the most wretched manner; yet that *Earl Mortimer* had the impudence to assert, that he had only freed his sovereign from the chains of the old ministry. Have not the two venal scribblers of our times, the *BRITON* and the *AUDITOR*, perpetually declaimed, that the late ministry only resigned, because they could not controul and govern their master?

That *Earl Mortimer* got privately into the palace by means of one bad, ungrateful woman, *Mrs. Masham*; and in a short time compleated his ascendancy over the mind of his sovereign. Here I do not find the least similitude.

As the view of both ministers has undoubtedly been the same, the preservation of their enormous power, both have made use of the same apt instruments. Their tools were the *Tories*, and all the revilers of the *protestant succession*.

That *Earl Mortimer* having got entire possession of the heart of his sovereign, and the power of the crown being, as it were, delegated to him, he employed it to purchase and to secure a majority of the two houses of parliament. Thus in effect he obtained the sovereignty of three kingdoms, and kept his power by distributing the revenue of the *civil list* to some, by giving places to others, and by creating twelve new peers at once. Since *October 1760*, seventeen new *peerages* have been created, nine additional *lords*, and an astonishing number of *Tory grooms of the bed-chamber* have been made; every *obsolete, useless* place has been revived, and every occasion of encreasing salaries has been seized with eagerness. That great reformer of abuses, the new *Whig* head of the board of trade, has just condescended to stipulate for an additional salary *without power*, as the price of his support of this *Tory* government. In all these cases, however, *merit* has been the sole motive. Here again we do not find the most distant resemblance. The *corruption* under the *Queen's Tory* administration was so flagrant, that they had greatly overdrawn the *civil list*, and the venal parliament of 1713, was easily brought to vote 500,000 *l.* which was given to pay off the debts of corruption, contracted in that short, infamous period. This was the boasted œconomy of the most ignorant, and incapable set of men, who ever pretended to the direction of the public business. The *Whigs* had managed the *civil list* so well, that the queen had for several years given 100,000 *l.* towards the expences of the war, had contributed 120,000 *l.* to the support of the poor *Palatines*, and had laid out above 200,000 *l.* in the building of *Blenheim-House*. Yet, by their wise management, the *civil list* was more than adequate to those expences of government, for which it was given. The *civil list* was so ill managed by the *Tories*, that very unfairly at the end of a session, the queen was brought to ask 500,000 *l.* of her parliament, which these *frugal* dispensers of the public treasure *precipitately* and *eagerly* voted; for they knew it would soon find its way among them. They were ever puzzling at the public accounts, pretending great abuses, yet, though invested with the fullest powers, had never the capacity of detecting even the *smallest*, which must creep into offices.

The

The present *civil list* exceeds that in the queen's time, by 200,000 *l.* I have not heard that any part of it has been given towards the great expences of this war; and I have heard of most wonderful savings in the articles of *beef* and *pudding*, *candles*, and *coals*, &c. &c. &c. I believe that 118,000 *l.* of the late King's *civil list* has been received since the demise of the crown. I am therefore satisfied that the report of a speedy application to parliament, grounded on the distresses already pretended to be felt, can have no foundation; because I am satisfied that there has been *no corruption* in this virtuous reign, in which it has been so openly and warmly disclaimed. Even at its commencement, a declaration was made, that not a "shilling should be issued to serve any sinister purposes of government, nor to give any undue influence. Every man was now to be left to act and to vote according to the dictates of his own consciences: no menaces would ever be used, no punishments, no sufferings be known. The crown has nothing to ask of the people, but to follow their own interest, which, in this patriot reign, would be left to them to discover and to pursue, unbiaſſed, uncorrupted."

That *Earl Mortimer* was educated in the religion of the *Kirk of Scotland*, and passed his youth among the *Presbyterians*. He afterwards put himself at the head of the *Tory* faction, and gave into the most slavish doctrines of the *indefeasible* rights of the crown, and the immense extent of the *prerogative*. Is there not the strongest parity of circumstances in our time, both from the minister, and all those who have wrote under him? When has the *prerogative* of the crown been founded so loud?

When that *Earl Mortimer* had securely, in his own imagination, established his power, he threw off all regard to his sovereign; and knowing that the *Whigs* and the *Hanover* family would never suffer his tyranny, he endeavoured to sacrifice his gracious mistress rather than forfeit his own power, and actually formed a scheme to repeal the *Act of Settlement*. The death of that princess, the last weak remnant of the unhappy house of *Stuart*, frustrated his designs, and prevented a slavish *Tory* faction from restoring arbitrary power. One anecdote on this occasion ought to be transmitted to posterity. The legal successor, his Majesty's great-grand-father, was then absent from the kingdom. No man but a *Scot* was enough tainted with treason, to offer his service to proclaim the Pretender, in the *English* capital, at noon-day on the *Royal Exchange*. This *George Keith*, late *Earl Marischal*, did. He was afterwards attainted of *high treason*, and during the two last reigns, to elude the justice of his country, he lived abroad. He at all times openly declared himself a subject of the Pretender, and publicly affronted the *English Ambassador*, at *Paris*, in the most mortifying manner, because it was before an infinite number of our inveterate, insulting enemies. The late king, from his great clemency, did indeed pardon him; but this noble, loyal countryman of the minister, has in the present reign obtained near 12,000 *l.* out of the purchase money and interest due to the public for certain parts of his estate. I have stated the grant accurately; for though the public was duped by the idea which went forth, that it was only a grant of 3,618 *l.* 9 *s.* 0 *d.* yet, it was expressly mentioned, that that sum should bear interest from *Whitsunday* 1721.

I shall conclude with one very short remark. On the death of Queen *Anne*, the political barometer of the stocks rose: on the death of the late excellent king, it fell.

Numb. XL. Saturday, March 5, 1763.

Ita bonum publicum, ut in plerisque negotiis solet, privatâ gratiâ devictum.
SALLUST.

Thus the public good, as generally happens, is borne down by private interest.

THE following memorial shall speak for itself. The memorialist has been long disappointed by the board of *treasury*, and instead of redress, finds even the *spirit of enquiry* so low, that he at length despairs of an examination into the merits of his case. He has therefore a right to state it, first to the *twenty-one chosen* sons of virtue, and next to the *public* at large. The NORTH BRITON, who will ever make his appeal to that respectable tribunal, gives him the opportunity. What a shallow pretence to the least *reformation of abuses*, or to any degree of *æconomy*, the *first lord of the treasury* has, is apparent from the little attention paid to this memorial. Is the *clear head* of the *chancellor of the exchequer* too so *puzzled* with the public accounts, or the *new tax*, that he cannot give one hour to justice and to a gentleman, who declares himself highly injured? I hoped that business would now have been conducted in *another guess kind of a manner*; for I borrow his favourite mode of expression. From the warm approbation which the *tax on dogs* had publicly from him the last year, I thought every thing had been long ago settled for this session. He was then no less serious than eager for it. If that *tax* is not now sufficient, let him speak out; for, to be sure, his views are *more* extended: *not that he's wiser, but he's higher*. Suppose he adds *ducks*, the *lame ducks* in the *alley* excepted; and I appeal to the clergy, if this *dog-and-duck* tax would not be as good as his humane plan of selling all their livings, or any other of his many *practicable* schemes.

As to the *memorial*, I shall only say, that no enquiry has been made, and that Mr. Pownal is still continued. With respect to the *letter* mentioned in the *memorial*, I should guess that it was at the time suppressed from the *treasury*; or, perhaps, in violation of every rule of *honour*, and of every right of *office*, with papers of the utmost moment, conveyed away to a patron very similar and worthy of him, by the most treacherous, base, selfish, mean, abject, low-lived and dirty fellow, that ever *wriggled* himself into a * secretaryship.

The affair is of real moment, not only for the vindication of the characters of the gentlemen concerned, but for the good of the service. A luxurious, pampered *Englishman* may indeed exclaim, *What! OATS! OATS! a paper on OATS! Is it from Brobdignag? Have the BRITON and AUDITOR died for this?* Like captain Lemuel Gulliver, *sullen he turns from both, and calls for OATS*. We North Britons, however, know the importance of the subject, and the delicacy of the food; for *Pensioner Johnson*, in his *Dictionary*, says very truly, *OATS, a grain which in England, is generally given to horses, but in Scotland, supports the people*.

To the Right Honourable the Lords Commissioners of his Majesty's treasury.

The MEMORIAL of JOHN GHEST, late an Inspector of his Majesty's magazines in Germany:

Most humbly represents,

THAT in May 1761, your memorialist having been at *Bremen*, in order to attend his duty, as an inspector of his Majesty's magazines, was appointed by colonel *Peirson*, to put a stop, as far as in your memorialist lay, to the

* Samuel M——, Esq;

many

many and frequent abuses there in practice, in sending bad and damaged *oats* up the river *Wefer*, for the use of his majesty's army.

That your memorialist, having applied himself with zeal for his majesty's service, and used his closest attention and utmost endeavours to correct and prevent the aforesaid pernicious abuses, was so fortunate as in a great measure to put a stop to the same; which gave umbrage to several persons there, who had views and interests in such practices, very remote and different from those of your memorialist: and your memorialist's conduct therein was so clear and manifest, and the services which he rendered were such, that the said colonel *Peirson*, on the first day of July, writ a letter to your memorialist, wherein are the words following, *viz.*

"I approve very much of what you have been doing, *for bad oats must upon no account be sent from thence*; I shall write to the major to-day in the strongest terms, that he does not attempt to send *any thing that is not perfectly good.*"

as by the said original letter, in your memorialist's hands, ready to be produced to your lordships, may more fully appear.

That your memorialist, having a few days after discovered, that a considerable quantity of bad and damaged *oats* was loaded on waggons, by private traders of *Bremen*, with a design to be transported for his majesty's army, he stopped the same, and prevented the transport thereof, and by that means put a stop, for some time, to that pernicious practice among those traders, and having reported to colonel *Peirson* his proceedings, and the steps he took in the discharge of his duty, and the trust reposed in him, the said colonel *Peirson*, by his letter, dated *Nord Denker*, the 15th of July aforesaid, writes to your memorialist in the following words, *viz.*

"I approve very much of what you have done, in stopping the transport of bad oats to the army. It certainly is comprehended within *your duty, which is to be as extensive as possible, in the prevention of any bad arriving here.*"

as by the said original letter, of the proper hand-writing and signature of the said colonel *Peirson*, ready to be produced to your lordships, may also more fully and at large appear.

That your memorialist, by a perseverance in his duty, in opposing and preventing the transporting many quantities of bad and damaged oats, having, as he has just reason to believe, given uneasiness and disappointment to several who were interested in sending bad oats to the army; they found ways and means, by their sinister and underhand contrivances, to cause to be removed from *Bremen*, about the 12th of September following, a lieutenant, with a command of some dragoons, who had been stationed there, in order to compel the skippers to prepare their vessels with dispatch to take in grain, &c. for the army, and had assisted your memorialist in the execution of his duty: and without such aid your memorialist could not effectually continue to put a stop to said fraudulent proceedings.

That your memorialist, finding himself deprived of the said assistance, and seeing the practice renewed of sending away bad oats for the army, about the end of said September, he made a representation thereof to *Michael Hatton*, Esq; late commissioner-general, then arrived at *Bremen*, who would not pay any regard thereto: and in some days after, your memorialist made a like representation of the aforesaid abuses to lieutenant-colonel *Pownal*, then also arrived at *Bremen*; who, in answer thereto, bid your memorialist go on as he had done, and added these words, "You shall be backed, well backed:" which gave your memorialist reason to apprehend and believe, that he should have a sufficient number of men assigned him, to prevent said abuses; but the said Mr. *Pownal* never thought fit to appoint any one person to assist your memorialist, in pursuance of his promise as aforesaid.

That a person named *Uckerman*, who was greatly interested in sending bad oats to his majesty's army, and who has made an immense fortune by such commerce, having, soon after the said *Mr. Pownal*'s said promises to your memorialist, laid a considerable quantity of bad oats on board vessels, with a design to transport the same for the army; your memorialist made a report thereof to the said *Mr. Pownal*, who, instead of preventing the same, gave your memorialist, to his great surprize, the following order and authority, in his own proper hand-writing and signature, to wit:

"As I see nothing in your report to occasion my detaining the four vessels laden with oats, as therein specified, I think you may certify, that as they are, though not good, and such as ought to be passable, they may pass up to the army."

Signed, *T. Pownal*, first commissary of controle.

To *Mr. Ghest*, king's inspector
of magazines. Bremen,
Oct. 9, 1761.

as by the original in your memorialist's hands, ready to be produced to your lordships, may more fully appear.

That on the next day, your memorialist made a report to the said *Mr. Pownal*, of another quantity of the said *Uckerman*'s bad oats, in vessels, ready to be transported for the army; which report was in the words following:

"Upon inspecting forty lasts of *Mr. Uckerman*'s oats, in two of *Harm Hanning*'s vessels, I find that the greater part thereof consists of various sorts of bad oats; some red, having been burned; others grown, and the grain exhausted; others blue, which never were any thing but shell: and the whole having a great deal of chaff and dirt in it. Bremen, Oct. 10, 1761. Signed, *John Ghest*, inspector; and directed to lieutenant-colonel *Pownal*, &c."

That the said *Uckerman*, having made an application to the said *Mr. Pownal* to pass said oats, the said gentleman had a further examination made of the same by two grooms, in the presence of his first clerk; who finding that the said oats were very bad, did not fail to confirm your memorialist's said report.

That notwithstanding all this, the said *Mr. Pownal*, very soon afterwards, permitted those very oats to be sent up for the army; and never after suffered your memorialist to inspect any of said *Uckerman*'s oats.

That said *Mr. Pownal*, having left Bremen about the 23d of November, left at the same time a free passage up the *Weser*, for the transporting of all said *Uckerman*'s bad oats, without obstacle; which said bad oats had been rejected by your memorialist: and also, great quantities of the like bad and damaged oats, that had been provided for the army by one *Mamberg*, and were not fit for use; (which the said *Mr. Pownal* well knew, by a report made to him thereof, by persons employed by him to examine the same in the presence of a public notary, a copy of which said report is in the hands of your memorialist, ready to be produced to your lordships) and likewise many ship-loads of the like, which afterwards came up the river. So that your memorialist has had the mortification to see his efforts for his majesty's service rendered abortive; and his good services and endeavours for the public good have been since recompensed by the said *Mr. Pownal*, upon his return from England into Germany, with a paper, containing a dismission in writing from his majesty's service, in the words following, viz.

Bremen, May 18, 1762.

"Sir, by virtue of the power and authority vested in me, I do hereby acquaint you, that I have no further occasion for your services, as an inspector, and
"that

"that your pay ceases from this day, of which you will hereafter take notice.
"I am, Sir, your obedient servant."

Signed, *T. Pownal*, director of the office of controle.

To *Mr. Gheft*, at Bremen.

That your memorialist most humbly hopes, and fully apprehends, that his conduct and endeavours in his majesty's service, will appear fair and unblemished; and that the said dismissal is without any foundation of any charge, or colour of any crime against him.

And here your memorialist, with the greatest submission, begs leave to say, that he has undoubted reason to believe, that his said dismissal has been owing to a letter written by him on the 28th of November, 1761, to *Samuel Martin*, Esq; wherein your memorialist gave intimation of the misconduct of the said *Mr. Pownal*; and to no other real cause: and that your memorialist is the more persuaded thereof, from a declaration made by the said *Mr. Pownal*, in a public company, on the very evening when first he declared his dismissal to your memorialist; expressing, that your memorialist had writ something to this right honourable board, which might have done him much harm; as your memorialist was well informed by a gentleman of veracity then present: a procedure that will never escape the just and equitable observations of your lordships.

That your memorialist, from the motive of a zealous regard for the good of the public, left *Bremen* with his family, at a great expence, in order to lay the afore said facts before your lordships.

All which he most humbly submits to your lordships.

Numb. XLI. Saturday, March 12, 1763.

Carpent tua poma nepotes.

VIRG.

Posterity shall pluck thy fruits.

I SHALL not this week touch a single drop of *Sir Francis**—*Dashwood's cyder*. I will leave it all till he has gauged the *hoghead*, and has found how many gallons it contains. When he has learnt a little of his lesson, I may perhaps condescend to argue on the new taxes, *wine* and *cyder*, with the *chancellor of the exchequer*, who by the confession of his own board, as well as of the rest of mankind, now stands forth the most confused, most incapable, and most ignorant of all, who ever accepted the seals of that high office. I shall perhaps too expostulate with him, how very unkind and ungrateful he is to his two old friends, the *grape* and *apple*: but they have already been amply revenged on him. *Rode, caper, vitem, tamen*, &c. A disgrace seems to be intailed on these unsocial attacks, and all the genial powers conspire to frustrate them. *Eloquence* and *wit* take the alarm, fearful of losing the advantages of an old *amiable union* with such friends. *Wit* points its keenest arrows, and the noble tide of *eloquence* bears down the poor creature who made the feeble attack. He remains a little while an object of pity, and is then consigned over to eternal oblivion †.

At present I shall quit this comic scene to do justice to a very ingenious correspondent, who has sent me the following letter:

* See *Vanbrugh's Journey to London*.

† In the following month *Sir Francis Dashwood* resigned the *Seals*.

TO THE NORTH BRITON.

S I R,

I WAS surprised the other day with a visit from an old acquaintance, whom I had not seen since the year *forty-five*. He had been outlawed on account of his engagements in the last *rebellion*, and was just returned from abroad, where he had remained ever since that memorable æra. He was a true BRITON, and a zealous lover of his countrymen. He had lately sent for his youngest son from the Highlands of *Scotland*, to receive *national* preferment under a truly BRITISH administration. I could not help enjoying the satisfaction of mind, which appeared in my old friend's countenance, on having now settled all his family to his utmost wishes; for he told me that this young gentleman was assured of particular favour and advancement under the present government, I would say administration; and the five patriot heroes, his brothers, were already provided for in the service of him, whom we call the PRETENDER.

As the boy, who appeared to be about eighteen, was but a raw *child*, and seemed entirely ignorant of every thing on this side the *Tweed*, I thought I could not spend the day better, in respect to his amusement, as well as my own, than by attending young maister *Macdonald*, in the quality of *Ciceroni*, to shew him the sights about this great metropolis. This scheme tallied exactly with my friend's business, who was obliged to wait on his patron at a certain hour, in order to return him thanks for his son's near promotion, and at the same time to solicit his Lordship for a vacant place in the Treasury for his brother, or in the Post-office for his nephew, or in the Exchequer for his cousin, or in the Custom-house for his cousin's cousin, or any where for any of his countrymen. All which, his *known* attachment to his patron, his loyalty to *his* king, and love to *his* country, gave him sufficient reason to expect from a minister who makes it his pride, as it is his declaration, to encourage merit wherever he finds it—except in a *Whig*. On this account he very readily left him to my care, and agreed to meet us at his return among the tombs in *Westminster-Abbey*; for after our *City* tour, and visiting the two houses of parliament, *Westminster-Hall*, and *Westminster-Bridge*, that was settled to be our last stage, and the rendezvous for the day. The young gentleman was much delighted with the curiosities of the *Tower*. He seemed very little to regard the fire-arms, but expatiated largely on the terror of the *broad-sword*, and on the sure, dark, death-dealing *dirk*. He took particular notice that all the *foreign wild beasts* were confined in their dens, while the *foreign, tame Lord-Mayor* was permitted to walk at large in his *chains*.

At our return to *Westminster-Abbey*, in looking over that Mausoleum of great men, great scoundrels, great scholars, and great fools, my young companion testified much surprise at the enormous wigs of the last age, in *Parian* buckle, and the *pagan* divinities of the present *à-la-mode*. His curiosity, I must own, perplexed me, by desiring some rational and historical account of those piles of marble, erected to the memory of great generals who were never heard of, or ought for ever to be forgot, and illustrious statesmen, who had no other chance to be remembered at all. He seemed in *second sight*, already to behold new and superb monuments erected to his valiant countrymen; and he dwelt much on the magnificent *labour of a future age*, to the great *American* hero, the earl of *LOUNDON*. He raved too of epitaphs, and the scrupulous attachment to truth, which is ever kept up in them. In the heat of his enthusiasm, he gave capacity and virtue to an earl of *BUTE*; and, what is remarkable, one *Englishman* had his praises; for he gave an elegant form, a liberal disposition, and a soul capable of the nicest honour, and truest friendship to the earl of *POWIS*.

But when we were got within the iron gates, the office of *Ciceroni* was taken off my hands, by a fellow, who, upon the regular demand and payment of a three-penny fee, preceded us to the first chapel, flirting about a switch with a careless familiar air of consequence, and humming a *divine hymn*, to the tune of *Nancy Dawson*. The extreme volubility of our guide's tongue, which ran over the methodical account of the consecrated dead, with equal emphasis, whether they

they bled by the point of a sword, or the prick of a needle, gave us, indeed, little leisure to dwell upon any single object; but left my companion's mind in a confused state of general admiration, till we were conducted into EDWARD the Confessor's chapel. While the rest of the company, for we had licked up several more in our passage, besides my old friend, who had by this time rejoined us, were taken up in contemplating the waxen image of the duke of BUCKINGHAM, and examining the elegance of his glass shoe-buckles, my young *Scotsman* carelessly flung himself into one of the old chairs, which were placed like useless lumber at the side of this deadly representation of life. According to the *customary* extortion of the place, our conductor claimed a forfeit, which you may be sure maister *Macdonald* was not so untutored in *œconomy* as to comply with. But when the historian, with an air of authority informed us: "This is the chair in which his majesty was crowned. Underneath it is the stone supposed to be *Jacob's* pillar; it was brought from *Scone* in *Scotland*. They were both used at the ceremony of the coronation of the kings of *Scotland*, and brought into *England* on the conquest of that kingdom by *Edward* the First." These words were hardly out of his mouth, when I perceived my young gentleman's eyes glistening with uncommon transport, and rolling about from the stone to his father, from his father to the stone, till at length unable to contain himself any longer, the prophetic inspiration came upon him, and he repeated, like the Sibyls of old, with equal rapture, and in full as good verse, this memorable couplet:

*Ni fallat fatum, SCOTI, quocunque locatum
Invenient lapidem, regnare tenentur ibidem.*

"Or fate's deceived, and heaven decrees in vain,

"Or where they find this stone, the Scots shall reign." CAMDEN.

Oot, oot, mon, cries his father, clapping me on the back with great earnestness, and looking his son full in the face, let the false NORTH BRITON and his advocates burst their weams, here is a prophecy for us, better than *faifty* PROPHECIES OF FAMINE. Yon stene there is more precious than the philosopher's, and *Archimede's eureka* is a folly to't. Ken ye weel, boy, that ye have sat upon the seat, which has held the purest blood of aw *Scotland*? And if the family which make such illustrious figures in the *Scottish* annals, and caused such wonderful revolutions in this our kingdom, are not at present in the chair, we can aw tell wha is naxt to it."

I was surprised at this sudden exultation of my friend, nor could possibly frame to my mind whence he could draw such strange and wonderful conclusions, on examining a rough, hard stone, which seemed in my eyes nothing more than a typical representation of the country which it came from. It seemed to me to indicate as strongly the nature of the country, that it was *Petra et præterea nihil*, as the single bunch of grapes, which was forced to be carried by two men, denoted the fertility of the *land of Canaan*.

This extraordinary alteration of behaviour, both of the old and young gentleman, much surprised me. The completion of this glorious prophecy had so intoxicated their understandings, that they could not behave commonly civil. Upon my remonstrating, with proper submission, that this prophecy could by no means extend to *England*, especially as we had now a sovereign, whom we *English* gloried in, as being our countryman, and whom we should neither be so complaisant or traitorous ever to *sell* or to give up for all the *Stuarts* in the world, my loyal friend, with great eagerness, and thorough *Scottish* good-breeding, interrupted me hastily, by telling me, with a supercilious air of authority, "Sir, we have as geud a right to this country as yoursels; and let me tell you, Sir, there is nae such thing as an *Englishman*, and I hope shortly the very name will be annihilated." Convinced of the sincerity of his wishes, but unwilling to be persuaded out of my birth-right, or bullied out of my senses, I left them at coming out of the iron-gates, to the contemplation of their rising greatness, and

the new modelling of their new kingdom, by beautifully tempering those two happy peculiarities, *Scottish elegance*, and *Scottish œconomy*.

When I had got home, and began to reflect upon our expedition, though I must confess I was somewhat ruffled by the unexpected insolence of my two companions, I was more heartily vexed, that what I had at first conceived to be impossible, upon recollection, appeared more than probable. There had indeed been some pains taken, in the glorious reign of that *pacific monarch*, James the First, to establish their *right*, founded upon this stone, and warranted by this prophecy; but now, under the administration of the *elder branch* of that august family of the *Stuarts*, with such conspicuous abilities to support him, in all those measures so conducive to the welfare of *his country*, I think I may fairly wish them joy of their prophecy being fulfilled, more especially as I find it corroborated and marked out for these times by another, which is as clear and express:

*When ANDREW shall unite with JAMES,
And TWEED adulterate with THAMES;
When Cod shall make the Salmon rue,
Blue turn to yellow, green to blue;
When John leaves Marg'ret in the lurch,
And Presbyterians head the church;
When cold JAMAICA sends for * PEAT
From FLORIDA to roast her meat;
When Reformation turns a shrew,
And acts as RIOT us'd to do;
When ENGLAND's lost, and BRITAIN wins,
When UNION's firm, and STRIFE begins.
When STUART's claims are all o'erthrown,
And STUART reigns without a crown;
Then triumph, SCOTLAND, thou hast won;
ENGLAND look to't—the charm's begun.*

Numb. XLII. Saturday, March 19, 1763.

Utinam istuc verbum ex animo ac verè diceret.

TER.

I wish you had used this word truly, and from your soul.

THERE is generally *one* favourite, ministerial word in high vogue. The minister himself first broaches it, and afterwards the whole herd of his dependents is ordered to echo it through the nation. During the administration of Mr. *Pelham*, the fashionable word was *candour*. He frequently made use of it, and he really loved the thing more than the word. His whole public conduct gave the most convincing proofs of his *candour*. The *cant word* of the present ministry is *OECONOMY*. There is not a poor, insignificant *English Tory*, or *Scottish, Jacobite clerk*, who has been three days in the *customs*, or *excise*, but has already learnt his lesson, and talks incessantly of the new minister's *œconomy*. We hear of nothing but *œconomy*, though we cannot, in any one business of national concern, discern the least trace of it. It is become the *Shibboleth* of the whole *Scottish faction*; for *their countryman* is for ever retailing the word to us, even when he is practising the most unbounded prodigality. The word he never forgets: the application of it to any public business we have never yet experienced from him. At no period of the English history has the nation been so

* See No. XXXV. and Note in p. 116.

much

much amused with *words*, and so grossly abused with glaring *facts* of extortion on the people, as of late by the present *Scottish* minister. It is an old observation, that he that first cries out, *Stop thief*, is often he that has stolen the treasure. We have heard of nothing but *oeconomy*, and we have seen nothing but profusion and extravagance. The proof shall soon follow the assertion; but I shall first state a late very extraordinary occurrence.

By the *Votes of the House of Commons*, we find, that on the seventh of March an address was voted to his Majesty, though not without opposition, *that he would be graciously pleased to employ in the army such persons, as now are, or shall be, upon half-pay, who are qualified to serve his Majesty.* This surely was so plain and self-evident an instance of *oeconomy* to the public, as well as justice to the officer, that such an address must in its very nature be trifling, or must mean a direct insult on the minister. I think, indeed, that he shewed the suspicion which that *honourable house* entertained with regard to his real intention to carry any scheme of *oeconomy* into execution. The *house* knew their gracious sovereign had the wise regulations of a just *oeconomy* at heart: but they seemed greatly to have distrusted the *minister*, and therefore proceeded in a true constitutional manner, by recommending the measure in a dutiful and humble address to the crown. I only argue from the *Votes*, which I suppose are printed, that the public may fairly reason on all parliamentary proceedings, of such a kind as to be judged fit to be submitted to the opinion of mankind. At the opening of the session, in a most gracious speech from the throne, his Majesty strenuously advised his parliament *to lay the foundation of that OECONOMY, which we owe to ourselves and to our posterity, and which can alone relieve this nation from the heavy burthens brought upon it by the necessities of this long and expensive war.* In the answer likewise to this address, his Majesty is graciously pleased to declare, “It was always my intention to shew my regard to the merit of my half-pay officers, as well as my attention to the lessening of the public expence, by taking every proper opportunity of employing such of them as are qualified for service.” It is therefore clear that our most excellent sovereign had always at heart this scheme of *oeconomy*, and that the *minister* was believed by parliament to be averse to it. This unravels the mystery of this *address*, and proves that it not only became the wisdom of parliament, but was peculiarly adapted to the critical circumstances of the times. The conduct of the minister has shewn the justice of this opinion. The first principles of national *oeconomy* have been disregarded, for every regiment has been completed as to its complement of officers, even a few days only before it has been broke, and chiefly by *Scotsmen*. This has most infamously swelled the *half-pay list*, and put the nation to an enormous expence, without a pretence of the least service to the public. I beg to know how many weeks Mr. *Gilbert Elliot’s* son has had a captain’s commission, and if he is yet *ten* years old? The *list of the army* has been entirely printed off; but was ordered to be suppressed, and the new * *secretary at war*, the jackall of the paymaster, bought the whole impression †. This has kept from the eye of the public this infamous scene, as well as the names of several *Scots*, who distinguished themselves under the banners of rebellion in 1745, and have been promoted since the administration of their countryman. Their names, however, shall in due time be given to the public, and their loyal deeds faithfully recorded. By such methods has the *half-pay list* grown to its present enormous size, and so deep a wound been given to the public, even in *oeconomy*.

“Let us now consider another striking instance of the total disregard of *oeconomy*: I mean the present loan of 3,500,000*l.* The terms of the new subscription have been so injurious to the public, but so beneficial to the subscribers, that is, to the creatures of the minister, that there was immediately an advance of seven *per cent.* and in a very few days of above eleven *per cent.* I shall, however, only state it at the even round sum of ten *per cent.* that I

* *Welbore Ellis*, Esquire.

† *A List of the Army* was after this published.

“ may not puzzle the *chancellor of the Exchequer*. The whole lone amounted to
 “ 3,500,000*l.* consequently, in the period of a very few days, the minister gave
 “ among his creatures, and the tools of his power, 350,000*l.* which was levied
 “ on the public: the most enormous sum ever divided in so short a time among
 “ any set of men. A few of their names I will mention, to shew in what esti-
 “ mation they are held by the public: Messieurs TOUCHET, GLOVER, *Cust**,

* Extract from an Affidavit, examined by the Office copy.

—AND this deponent Peregrine Cust for himself saith that he hath particularly attended to and considered the following paragraph or parts of the said annexed paper, A, called the North Briton beginning at the 28th line of the third page thereof (folio 249) and from thence to the word Friends, in the fourth line of the following page (fo. 250) and which is or are expressed in the words and figures or to the effect following that is to say “ Let us now consider, &c. &c. [as above, within the inverted commas] And this deponent further saith that he hath also read over and considered the similar paragraphs, or parts of the said reprinted copy of the said paper called the North Briton as the same appeared to be expressed in the said reprinted copy of the same in the said annexed book called the Political Controversy as the same are therein set forth beginning at the twelfth line of the page or folio in the said book marked 377 at the like words “ Let us now consider” and ending at the word “ friends” in the sixth line of the page following or folio marked 378 of the same book. And this deponent saith that he doth apprehend and think himself prejudiced and injured in his character and credit in his business as a merchant of the city of London by the aspersions and insinuations respectively contained in the said several parts or paragraphs beforementioned and specified of the said paper called the North Briton and the reprinted copy thereof in the said book called the Political Controversy so far as the same do respectively mention, and relate to the person in the said paper and reprinted copy respectively mentioned by the name of Cust and that the said papers respectively do contain in the opinion and belief of this deponent very gross defamatory and malevolent as well as false and unjust insinuations and aspersions on the honour character and reputation of this deponent and this deponent saith he is the more fully convinced that this deponent was and is the person meant and intended by the name of Cust inserted in the said several papers before mentioned called the North Briton and the said reprinted copy thereof for that in or about the months of August and September last it being generally understood that a loan of money would be wanted for the service of the public and support of his Majesty’s government in the succeeding year 1763 and it being then uncertain what sum would be wanting (on account of the uncertainty at that time whether the war would continue or not) and it being also apprehended that a much larger loan would be wanted by the government than afterwards was found necessary and it being supposed that eight millions at least would be wanted for the said service and this deponent being desirous of contributing so far as he could to the service of the public by procuring among his friends and acquaintance part of the money which might be wanted for the said loan for the service of the government whether there should be a continuation of the war or not this deponent therefore declared to and gave out among his acquaintance that he intended to offer a list of subscriptions to the lords commissioners of his Majesty’s Treasury on account of the said loan to the amount of one million or thereabouts and thereupon this deponent received from many persons as well those of his acquaintance as many others, who this deponent knew only by reputation and character as responsible persons letters offering the sums which they were respectively willing to subscribe and which they desired to be included in this deponent’s list and this deponent did accordingly insert in his said list indiscriminately the names of all the persons who so desired to become subscribers in this deponent’s said list (they being all persons who in this deponent’s judgment were able and responsible persons) and the respective sums which they severally desired to have inserted and were desirous of subscribing were accordingly inserted in their respective names in the said list and no person who desired to have any part of the said subscription was omitted or left out of this deponent’s said list in regard this deponent looked on the said loan in the nature of a public subscription and as what was likely to be a real service and benefit to the public and this deponent saith that in or about the month of January last and long before the terms of the said loan were known and before it could be possibly known whether the terms thereof would prove advantageous to the subscribers or not this deponent delivered in his said list for the consideration of the lords commissioners of the treasury and that in the said list so delivered in amounting to one million and twenty-four thousand pounds or thereabouts were included the names of all and every person who had wrote to this deponent desiring to be included in this deponent’s list with the sums by them desired to be subscribed whether they were of this deponent’s acquaintance or strangers (as many of them in fact were to this deponent, except by character as to their abilities) in order to their being eventually admitted as sharers of the said loan. And this deponent saith that above four-fifths of the sum of two hundred thousand pounds being the sum allowed to this deponent on account of the said list so delivered in and offered to be subscribed by this deponent as aforesaid was divided among the several persons who had made such applications to this deponent as aforesaid and in which this deponent had no interest, or share or profit whatsoever and that there was not any one person who had wrote to this deponent to be in this deponent’s list who had less than one fifth of the sum which he so wrote for except only one person who had wrote to subscribe twelve thousand pounds and had two thousand pounds only of the loan to make it an even sum and this deponent saith that the assertions contained in the said two printed papers herein before mentioned and described that is to say in the said paper called the North Briton that a sum of three hundred and fifty thousand pounds and in the said book called the Political Controversy that the sum of fifty thousand pounds was given in such manner as in the said papers mentioned which was levied upon the public, is according to this deponent’s judgment and best of his belief a false and unjust misrepresentation inasmuch as it was in this deponent’s opinion and judgment uncertain at the time of this deponent’s delivering in his said list as aforesaid whether the agreement for the public loan would or would not be attended with benefit to the subscribers and there was not in this deponent’s judgment any probability that the subscribers to the same would derive any large considerable or unreasonable benefit from it nor was the agreement itself in this deponent’s opinion unfair or inequitable or inadequate to the risk run.

“ (brother

“ (brother to the able and impartial speaker) *Amyand, Maygens, Salvador, Cole-*
 “ *broke, Thornton, and Muilman*, had each 200,000*l.* of the new subscription,
 “ and of course almost immediately cleared 20,000*l.* each, which they have, or
 “ have not, shared among their friends.” In this instance, however, I dare say,
 the public will experience *no stoppage of payment*: such bargains are more likely
 to bring a nation, than the proprietors themselves, to *bankruptcy*. In a lucrative
 ministerial *job* of any kind, it was impossible the name of Mr. Fox could be ad-
 mitted. He had 100,000*l.* that is, 10,000*l.* clear profit. What the *jackall*
 had, I know not; but Mr. Calcraft, *not in Mr. Fox's name*, had upwards of
 70,000*l.* that is, a gift of 7,000*l.* Mr. Drummond, a *scattish banker*, to whom
 his *countrymen*, while his shop continued open, had such obligations in 1745,
 was gratified with 72,000*l.* or, in other words, had 7,200*l.* given him. I hope
 that this *douceur* is really meant for Mr. Drummond, and not for the *minister's*
 poor, distressed *cousin*, and *namesake*, at Rome. The governor of the bank,
Robert Marsh, Esq; had 150,000*l.* to keep the gentlemen there in good hu-
 mour; and, to preserve his own good humour, 50,000*l.* *Lewis Way, Esq;*
 sub-governor of the *South-Sea*, had the same sum, for the same purpose. Such
douceurs were given to such persons, when gentlemen of the first monied pro-
 perty in the kingdom, who had subscribed the largest sums in all the exigencies
 of government, during the two last wars, and who were of known affection to
 the *Brunswic* line, were refused any share. The reason given to several, was,
you are no friends of the minister. The minister has declared that he had actually
 a tender of above seventeen millions *only* from the city. The public will judge
 from this how impossible it was to carry on the war even another year.

This enormous sum of 350,000*l.* ought to have been saved to the public. It
 undoubtedly might have been, if a fair bargain had been made by honest and
 intelligent stewards of the public, free from any disposition, or at least any
 resolution, to *buy friends* in so shameful a way with the nation's money. The
 sum is very near one shilling in the pound of the land-tax, which the *zealous*,
fond, believing, obsequious, confiding, supporting, acquiescing, bearing and forbear-
ing country gentlemen ought, among their stipulations with the minister, to
 have saved the nation. The public would then have had one obligation to
 their ministerial zeal, and some amends made for their scandalous prostitution.
 Had there been the least attention to *æconomy*, we see this saving might have
 been made. If the shilling in the pound had not been taken off the land, the
 odious tax on *cyder*, in its present oppressive mode, would have been totally
 unnecessary: but the *excise laws* seem to be the favourite laws of the new mini-
 ster; and * *his chancellor of the exchequer* declared with a perspicuity, of which
 only that one head was capable, *that he was not for an EXTENSION of the excise*
laws, but for an ENLARGEMENT of them. If there can be any meaning couched
 in such barbarism, it should seem that the hydra of excise is now to reach,
 where its cruel fangs never did before. After the monster of excise had been so
 long kept tame, this *chancellor of the exchequer*, I should imagine, is ordered to
enlarge his claws, and then another is to come to *extend* his accursed dominion
 through the land. Yet (not to deviate from his happy *patavinity*) all the *whole*
total is *any thing for peace and quietness sake*; and at this time we must be content
 to take the thing *rough as it runs*.

I desire likewise to state the case of the lotteries, and of the gross impositions
 on the public by that part of the late bargain. Lotteries have always been ob-
 jected to as promoting the spirit of gaming, so peculiarly pernicious to a com-
 mercial country. The necessities of government, during the two late wars,
 forced this measure: I mean of a lottery; but this year, the year of peace, we
 are to have *two* lotteries. To make this scheme as chargeable as possible to the
 public, and creative of more jobs, as well as longer to keep up the spirit of
 gaming, the *two* lotteries are to be drawn at *two* different times of the year. A
 minister who had really any love of *æconomy*, would have made the tickets

* Sir Francis Dashwood, Bart.

duplicates of each other, and have saved one half of the expence to the public. The earl of Bute chuses to parade about *œconomy*, at the very time he is practising the most unjustifiable profusion. In former years, the interest on the lottery annuities commenced a year after the bringing in the scheme, and was only three *per cent*. In this frugal *scottish* administration, it commences almost with the first payment, and is four *per cent*. I must observe how very unnecessarily, and even wantonly, this was done; for experience convinces us how little attention is paid by the purchasers of lottery tickets, to the rate of interest accruing on them.

The creditors of the public for navy, transport, victualling, and ordnance services, have at least as much merit with the nation, (whom they trusted without the security of a fund, in dangerous times) and as strict a right to justice, as the new creditors of this loan advanced in days of peace. To the former the minister has thought it just to give a bare four *per cent*. redeemable at pleasure, to commence from next Lady-day. To the *meritorious* subscribers to the loan, interest commences upon the whole from the first payment, together with two lottery tickets for every 100*l*. which are now selling at the advanced price of 9*l*. clear gain. I wish to know by what scale of equity the merits of these two sets of the public creditors have been weighed. Is it in the same *scottish balance*, by which *evacuation* only was to be the lot of one ally, and *restitution* of all the rest? How exactly parallel to our *foreign honour* is our *domestic justice*!

An *open* subscription has ever been deemed the fairest and most *œconomical* method of borrowing money for the public. In times of war, and public distress, government, for greater security, has been obliged to have recourse to the other more confined mode, though subject to partiality and influence. In these days of peace and affluence, is there a man who doubts that an *open subscription* would have been filled as soon as made public, even with an overflowing of millions? But in this case, the hungry harpies of the minister had not feasted on the vitals of their country.

In former subscriptions, even during a war, and a certainty of it's continuance, an *English* first commissioner of the treasury has always thought about one *per cent*. a sufficient profit, when so large a sum as twelve millions has been raised on the public. *His* friends always rested satisfied with that expectation. Under the *scotsman*, a set of hungry, avaricious, rapacious dependants have, with the certainty of a peace, and the sum of three millions and a half *only* to be raised, made above eleven *per cent*. of the public. I speak of those who have already sold other things, besides their subscriptions.

For the future, whenever I hear of *scottish œconomy*, I shall conclude, that in private and household concerns it means *sordidness*; in public matters, *profusion*, *corruption*, and *extravagance*.

In this manner is the nation insulted by the falsest pretences to *œconomy*, and her wealth squandered among the tools of an insolent, all-grasping minister.

Gracious and best of princes, knowest thou this!

Numb. XLIII. Saturday, March 26,
1763.

Vestigal esse impositum *fructibus nostris* dicitur et *pecuniam* permagnam ratione
istâ cogi potuisse confiteor et *invidiam*. CICERO.

A duty is imposed upon our very apples, and I confess that great sums of money
may be raised by the tax, as well as great murmurings.

I AM not surprized at the general alarm, which has spread not only through the capital, but likewise through the whole kingdom, from a well-grounded terror of the fatal consequences so justly to be apprehended from the new tax on *cyder*. This *odious* and *partial* tax is likewise to be enforced in the most *odious* and *partial* manner possible, by an extension of the laws of *excise*. The very word is hateful to an *English* ear, and the new doctrines introduced by that most grievous system of laws have, in a good measure, repealed the most favourite law of our constitution, which has ever been considered as the birthright of an *Englishman*, and the sacred *palladium* of liberty; I mean the trial by JURY. In every case of property, where the *excise* is interested, the decision is not by a JURY, where the party has a right to object to any one or more of *twelve* partial or prejudiced men, but in *one* or *two justices*, or *commissioners*, who may have private, selfish views, and from whom generally there is no appeal. By the mode of the tax on *cyder*, not only professed dealers in that commodity, but many new orders of men become subject to the laws of *excise*, and an insolent *exciseman*, under the influence, perhaps by the order, of an insolent minister, may force his way into the house of any private gentleman, or farmer or freeholder, who has been guilty of voting contrary to a ministerial mandate, and of obliging a friend with part of the growth of his own orchard. Even for what is used in his own family, a *poll-tax* of five shillings *per head* is to be paid, by all persons of the family under *nine* years of age. I am glad the limitation is confined, by this *merciful* and *forbearing* ministry, to that tender age, because I think *master* (I beg his pardon, *captain*) *Elliot*, at *ten* years of age, with such a commission in his pocket, ought to pay himself, or, at least, be paid for by his *papa*, (I beg pardon again, I mean his father) Mr. *Gilbert Elliot*, out of the *half-pay*, which HE receives, in these days of *economy*, for the eminent services performed to the public by the *little master*. I am satisfied even that proud *Scot*, who has here learnt to talk such very *courtly language**, would not utter one word against the *actual* payment of a fair share of such a tax, imposed by the advice and influence of his *countryman*, chiefly on a few rich *English* counties. I am sure he ought to rest satisfied with his good fortune, for he has the *treasury of the chamber* in *England*, which is a present income of near 3,000*l. per annum*, and reversion of a most useless office, *keeper of the signet in Scotland*, a place for *life*, of 1,700*l. per annum*, for himself, and his deputy (I suppose the said *infant captain*) receives 300*l. per annum* more, I do not mean *scottish*, but *english* pounds.

The partiality of the tax on *cyder* has been no less blamed than the odious mode of collecting it; but the most cogent objection with the disinterested part of mankind goes still deeper; for the enormous profit made by the subscribers to the new loan proves, that the tax was so far *unnecessary*. The proprietors, who have been gratified with it, exult at so immense and so secure a plunder

* This alludes to a favourite expression of Mr. Gilbert Elliot's in a great assembly.

of the nation, while the candid and unbiassed part of mankind stand astonished at the effrontery of the minister through this whole transaction. The *bargain* is the most scandalous ever made for the public. It has been attempted to be excused from the uncertainty of the negotiations with *France*, and the difficulties which arose between the two courts even after the *preliminaries* were signed. Mr. *Fox* himself fully answered this; for in a *great assembly*, he affirmed, that the bargain was made on the eighteenth of *February*, and that it was known here before that time, that the *definitive treaty* was actually signed on the tenth. In a *very small assembly* he asserted, that a bargain still more infamously injurious to the public, had been concluded by the minister on that very day, the eighteenth, and as infamously on his part receded from on the twentieth, and finally settled on the present scandalous terms on the twenty-second. What must the terms of the eighteenth have been, that even such a minister was not only ashamed, but afraid to keep? I am sure, I may safely assert this little anecdote, as coming from Mr. *Fox* himself, and this without the least suspicion of *new-invented*, *Newfoundland FORGERY*. The *Bashaw* has the obligation to his *real friend* and (in *Scotland* phrase) his *doer*, Mr. *Fox*, of the public detection of this infamous scene. This bargain was not laid before parliament till the seventh of *March*. It would have been very extraordinary in any other board of *treasury* to have concluded the bargain so long before, because it neither can, nor ought to be considered in any other light, than as a bargain made at the very time of the application to parliament. Infinite imposition and abuse might otherwise follow. The settled method has been to develop the whole business, and to compare the proposal of the day with the general price of stocks at that time. All former chancellors of the exchequer (*who have not been ASHAMED to know something of their business* *,) have invariably pursued this rule. The navy, victualling, and transport services, on the seventh of *February*, (three days before the *definitive treaty* was signed) were charged on the sinking fund, at four *per cent.* and they appear to have been sold at half *per cent.* discount. The new loan at four *per cent.* exclusive of the lottery ticket, is two *per cent.* more advantageous than the allowance to the former creditors of the public: for a profit of two *per cent.* is given to every subscriber on account of prompt payment, who chuses to make it. This gives a profit of one and a half on every 100*l.* of the four *per cent.* redeemable, and in effect it actually sells at little less than 103*l.* without any material change of circumstance.

I think it is now made clear to a demonstration, that the prime minister ought not to have given above a bare four *per cent.* redeemable for the 3,500,000*l.* lent to the public. The profit infallibly to be made on the lottery tickets, could not, in estimation, fall much short of 9*l.* for the two tickets, given with every 100*l.* Government, till it fell into the hands of the present most incapable minister, has ever availed itself of this profit, in favour of the public, and credit has ever been taken for it in the bargain made with the subscribers. The unexampled paucity of the tickets, no more than 35,000 in each lottery, and the great probability that this kind of gaming will end this auspicious year (till the rottenness of the *peace* brings us into new difficulties, perhaps, speedily to end in a new war) advanced the price of them so high, that their present rise cannot surprise any man, whose attention has been turned to matters of this nature, founded on comparative experience. It cannot therefore be deemed an accidental, or problematical rise, but was certain and inevitable.

The mismanagement of the finances of this kingdom must give the deepest concern to every thinking man, who really loves his country. Such a man cannot but ask the question, whether the late infamous job was the consequence of incapacity or villainy, or a mixture of both? Let it be either, it has ended in a manner equally fatal to the public, thus defrauded of so large a sum. The *sinking fund*, which has had the epithet of *sacred* peculiarly applied to it, is so wantonly clogged, and groans under so many anticipations, that, it is confessed,

* A remarkable expression of Sir Francis Dashwood's.

it will not produce any thing to the public for above seven years. This prospect into futurity is still more clouded by the declarations made very publicly, by those who have the power to carry them into execution, that another tax, probably on the same odious line of *excise*, is, *in the next year* at least, to be laid upon the public, in addition to a land-tax still to be continued at four shillings in the pound. This declaration exactly tallies with every other act of that *low cunning* which characterises the minister; for it holds out to his creatures the blessed *second sight* of more plunder of the nation, if the hounds continue to follow their former feeder. Thus is the minister, as well as these robbers of the public, driven to the commission of a second crime, to secure impunity of the first.

This first essay of the *Scot* in the business of our treasury is, indeed, by the hand of a *master*; but of what kind? Surely of a most corrupt and profuse *master*, who must be totally ignorant of our finances, or at least *very lately* have acquired any practical knowledge of *money matters*, unless in the receipt of a small annual *pension*, obtained with difficulty from the duke of *Newcastle* for his faithful services, and steady vote in a former parliament. In either case, he ought not, at so critical a moment, boldly to have assumed the sole administration of so important a department, where *his own* incapacity, and *his chancellor's* ignorance, are the hourly ridicule even of the youngest, most dependent clerk in the treasury. The tax on *cyder* has for many days covered *them both* with public contempt and derision. If it receives the sanction of the legislature, according to the mode of *excise* proposed, or rather imposed by the minion, I will venture to assert, that he will soon be *deservedly* as unpopular and as much detested in every county in *England*, as Mr. *Bamber Gascoyne* is very *undeservedly* in *Lancashire*. His gentle and gentleman-like manners, his candour, urbanity and sweetness of temper, his politeness and high breeding, soar even beyond his patrons, and ought to conciliate mankind to the minister as well as to himself. I hope too they will for ever obliterate the odious name of BUTCHER *Gascoyne*, by which all his contemporaries at *Oxford*, in so uncourtly a way, still persist to mark him.

The whole progress of the tax on *cyder* has shewn to mankind, that nothing could have equalled the impudent pretence the minister has made to superior ability and *æconomy*, but his ignorance, fraud, and profusion, to a degree scarcely to be credited, but on the notorious evidence of *facts*. I chuse to argue from *facts*, because my Lord-Mayor is so fond of travelling the high *priori* road. That acute reasoner and sound scholar has more than once assured us, that he always will argue *a priori*, from *facts*, *a priori*, I say. *Why do gentlemen laugh? I argue from the stubborn evidence of facts, Sir. Arguments drawn from facts, a priori, Sir, cannot be resisted. That gravels gentlemen. I see they feel me*, &c. &c. &c.*

I shall conclude my ideas of the *Scottish* administration of our finances with an old observation of *Swift*. *I could point out some SCOTS with great titles, whose whole revenues before the Union would have ill maintained a Welch justice of the peace, and have since gathered more than ever any Scotsman, who had not travelled, could form an idea of.*

* This noble specimen of Creolian oratory was lately given to a great assembly of Whites.

Numb. XLIV. Saturday, April 2, 1763.

Pulchrâ pro libertate.

VIRGIL.

For beauteous liberty.

THE restless and turbulent disposition of the *Scottish* nation before the union, with their constant attachment to *France* and declared enmity to *England*, their repeated perfidies and rebellions since that period, with their servile behaviour in times of need, and overbearing insolence in power, have justly rendered the very name of *Scot* hateful to every true *Englishman*. The mean arts by which the present minister acquired his power, and his conduct since the acquisition of it; the long and dark scenes of dissimulation which he ran through for the sake of greatness, with the open and insolent outrages he hath committed, since his accession to it, against men much better than himself; the little capacity which he hath shewn for business; the inglorious peace which he hath infamously patched up, and whereby he hath sacrificed the glory and interests of this country to his own private ambition; his contempt of the *English* nobles, especially of those who are the known and tried friends of the constitution, and his strict union with those who are the avowed enemies of it; his mean and implacable resentments in turning out and reducing to poverty whole families, the honesty of whose patrons was their only crime; his gross partiality to his own *beggarly* countrymen; his virulence against all who will not slavishly comply with his destructive measures; his associating with a man justly odious to every party, from whose influence this country hath every thing to fear, and *who having been false to all, ought to be trusted by none*; these things laid together have rendered the minister justly suspected by the people, and have, *if possible*, made the name of *Stuart* more odious and contemptible than it was before. The very great and excessive complaisance of the associates in power, if he will suffer them to be called associates, whom he never suffers to act as such, in embracing his pernicious doctrines, and falling in implicitly with his fatal measures, their joining to give up in peace, what we had gained in war, their taking such steps as not only partially affect the property, but strike deeply at the liberty of the subject, have weaned the affections of the people from those few members in the administration in whom they had reposed some little confidence, and increased their suspicions with regard to those whose former behaviour had not entitled them to any confidence at all. Under these circumstances, we cannot be surprised that the spirit of discord should go forth in the land, and the voice of opposition be strong in the streets; but what we cannot help admiring is the modesty and veracity of those tools of power, who would persuade us that the body of the people are perfectly satisfied, and that all reports of public discontent are made and spread abroad by the venal emissaries of a disappointed faction. They do not scruple to assure us, that the earl of *BUTE* is the darling of the nation, and as much approved in the quality of a minister, as his Royal master is beloved and revered as a king. They would represent to us those respectable personages, who oppose the minister, as influenced by envy, interest, and other selfish motives, and not at all actuated by a love of their king and country; nay, they have ventured to proceed one step farther, and openly condemn all opposition, on whatever principles it is taken up, as criminal in itself. A doctrine which we could scarce have expected to hear in *England*, (I hope it is not treason to make use of that word) at this time of day, or which we never could have imagined should

should have passed without rebuke. Not long since a divine * of the church of *England*, remarkable only for reading lectures which no one went to hear, publicly maintained from the pulpit, that to resist the minister was to resist the king; to resist the king was to resist God, and that the consequence of such resistance must be damnation. Let me not, however, be thought to insinuate, that this reverend adventurer in politics acted at all by the command of the one great man, however agreeable the doctrine might sound in his ears. He certainly would never have employed this young *Sacheverel*, when so many dignitaries were at his devotion, and all those grateful churchmen, who fled from the shipwreck, as they deemed it, of old *Newcastle*, must have stood ready at their idol's command, to preach up the traditions of men for the laws of God. But amongst all the advocates of despotism, the notorious *Paul Whitehead* is the most remarkable. Little could we have expected to have seen his name in the black list. What? He, who was ever a licentious assertor of privileges, whose tongue was loudest in every mob to resound their rights, and to vindicate the liberty of the press; who treated nobles with impunity, and trampled on the sacred honour of crowns; whose unbounded boldness brought him into such extremities, that he may relate, which he hath often related, his *ear-breadth scapes*; shall he become a defender of the base, infamous doctrine of passive obedience and non-resistance? Shall he brand with the name of faction those men whom every honest Englishman considers as his dearest friend? Can he, who was enlisted under the banners of a *staunch Republican*, thus weakly change his opinion, and thus impudently declare it, merely because the dull patron is ridiculously renegadoed into a *court Jacobite*? Is this to be accounted for?

Cræculus esuriens, ad cælum, jufferis, ibit.

JUV.

“And bid him go to hell, to hell he goes.”

Pensioner JOHNSON.

In spite, however, of all that can be said by private men, and threatened by those in a public station, I can answer for myself, and hope I may for others, that the liberty of communicating our sentiments to the public freely and honestly, shall not be tamely given up; nor, I trust, forced out of their hands. I am not yet so perfect in the court creed, as to believe they have any right to do it; and if they know their own interest, I am certain they will not attempt it. The ridiculous figure which they made in the apprehension of those persons concerned in the *MONITOR* hath opened their eyes, and tainted their rashness with some wholesome degree of fear. Inclination there is, no doubt, to silence the *NORTH BRITON*, but a consciousness of guilt prevents its being carried into execution; and however they may deal out large promises, and thunder forth empty threats, that impudent libeller, as they are pleased to call, but cannot, or dare not prove him, shall still pursue the path in which he hath hitherto trod; and whilst he finds the opposition, which is now gathering over the minister's head, composed of those men who are zealous for our constitution, and lovers of their country, no means whatsoever shall be effectual to warp him from so great, so good, so necessary a cause. Whatsoever opinion slaves may entertain, they shall as soon persuade a free-born *Englishman* to call the spirited opposition of the present earl of *Bath*, when Mr. *Pulteney*, the glorious efforts of those true patriots who expelled the cursed race of *Stuart*, and the vigorous struggles of those barons to whom we owe *Magna Charta*, by a disgraceful name, as the animated advances which are now making against the influence of the proud *Scot*, under the conduct of men whose names shall descend to posterity, and stand in the roll of honour with the first patriots.

When the opposition to the minister is the subject of conversation, it is remarkable to observe how men, who are in their hearts well-wishers to it, but have not spirit to speak out, retire back into themselves, how cautiously they hint their love of their country, as if it was a fault, and how sparingly they

* This stupid divine was one *Truſſer*.

praise those who openly avow themselves the defenders of it. These men may love their country much, but they love themselves more. Public considerations have some share in their hearts, but no farther than as they fall in with their private views—Self is their grand object, and their country comes in, only by the bye, and in a subordinate degree. They wish England well, but that is all—they will not advance one step, nor run the least risque to promote her welfare. Her situation may call for vigorous measures—but they beg to be excused—they chuse to wait—nor can come to any resolution till the event shall give them an opportunity of joining the strongest party. Whatever consequence such fluctuating spirits may maintain in troubled times, sure I am, that in a quiet and settled state, they ought to be treated with the utmost contempt. When a country is divided, neutrality is little better than treason; an honest man may, thro' mistake, take the worst side; but he cannot be an honest man who refuses to take any. The timorous disposition of these lukewarm patriots is at present inexcusable, as the opposition to *Scottish* influence is founded on those principles which ought to make every Englishman a party in it, and conducted by those men, whom long and repeated services have taught us to honour. Whatever face the credit of the minister might wear some time since, and however his slaves might boast the strength of their chains, observation may convince us, that his power is now in the wain, and that a storm is gathering over him which must involve him in disgrace. However the name of *England* may be lost, the spirit still remains; nor would the NORTH BRITON for a moment believe, even at that time when there was more ground to believe it than he could have wished, that an upstart *Scot* should lord it uncontrouled over such a nation as this, or that the *Whigs*, those old and true friends of king and people, should tamely sit down, and suffer the hellish designs of *Tories* to be carried into execution without resistance.

The minister himself seems conscious of his decline; his fears appear in spite of his pride; he is meanly endeavouring to break the force of the opposition by disuniting the members of it, and employs his poultry emissaries for that purpose. But should he unhappily succeed in that attempt, it cannot establish his power, though it may prolong it; the *English* are a people who will not suffer their rights to be trampled on for any length of time, and whose just resentments have ever been successful against favourites and aliens. They will no more suffer the person who hath injured and oppressed them to skulk out of power without calling him to account, than they will tamely bear his oppressions whilst in authority. A minister is the servant of the public, and accountable to them. Our constitution is so happily tempered, that it is not in the power of a sovereign to secure a bad minister, and of this we may be certain that it can never be in the inclination of the best of sovereigns to protect the worst of ministers. The earl of *Strafford* is an example on record, which our great man would do well to consider, and tremble. How soon this desired change may be brought to bear we cannot pretend, though blest with the gift of second sight, to ascertain; this, however, we may venture to declare, that it cannot be far distant. The jarring principles of those who compose the administration, and the impossibility of their blending with each other, so as to give and receive strength at the same time, made it probable from the first, that their union could not be of long continuance, and the noble spirit which hath been of late exerted against the minister by those honest men, who love both king and country, gives us a pleasing prospect of being speedily restored to harmony amongst ourselves. Nothing is necessary but resolution and perseverance, and these, I am convinced, cannot be wanting, when I consider the persons from whom we expect our deliverance.

As it may be convenient to many persons on various accounts to give as near a guess as possible when this ministerial revolution will take place, I shall give them a hint which may perhaps assist their conjectures, and propose Mr. *Fox* as a mark of observation to all who trade in politics. His steadiness to his own interest, with his remarkable talents of penetration, have hitherto enabled, and I doubt not will still induce him to quit his post when he can keep it no longer,
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and to leave his friends in the lurch. When we see him therefore, *flying from the storm*, pleading age and sickness, *accepting of a peerage* *, or retiring to the government of the alley, we may safely conclude that a change is at hand, and that concord shall once more take place among us.

JOHN EARL OF BUTE RESIGNED ON THE FRIDAY FOLLOWING.

John Earl of BUTE was made first Commissioner of the Treasury, May 29, 1762.

On the same day the first number of the BRITON was published.

The first number of the AUDITOR was published June 10, 1762.

The last number of the AUDITOR was published February 8, 1763.

The last number of the BRITON was published February 12, 1763.

Lord BUTE resigned April 8, 1763.

A NORTH BRITON Extraordinary,

Which was PRINTED, but never PUBLISHED.

Dicere verum

Quid vetat?

To say the truth

What laws forbid?

THURSDAY, APRIL 7, 1763.

Whatever difference we may find in other respects between the present and late minister, in the exertion of a determined and inflexible resolution, they certainly bear a near resemblance to each other. One distinction, indeed, ought to be made even here, that Mr. Pitt's resolution arose from conscious virtue, and the Earl of Bute's from conscious power; but, to the credit of the latter we must observe, that he hath shewn as inflexible a spirit in supporting every measure which was wrong, as the former could possibly maintain in

* Mr. Fox was created Lord Holland on the 16th. of April 1763, and soon after went to France.

promoting what was right. Regardless of all petty and private considerations, blessed with the most excellent qualities of head and heart, and sincerely attached to the interests of his country, Mr. Pitt proceeded with that well-grounded confidence, to which he was intitled by those qualifications, and in which he was justified by the most extraordinary success. Without any real regard to this country, wholly engrossed by private views, the qualities of his head as yet doubtful, and those of his heart too plain, the Earl of Bute hath, through his administration, behaved with that insolence, which in narrow minds is always the consequence of power. When I mention insolence, I would be supposed to include meanness; for they always are to be found in the same place: and however different they may appear, wait only for a difference of circumstances to call them forth, and to prove them inseparable. In both these virtues, I apprehend, the present minister stands unrivalled, and the infection seems to spread through all his coadjutors. Numberless instances might be produced to justify this remark; but no one is more proper, and better calculated to shew both these excellent qualities operating at one time, and on the same subject, than the treatment which our East-India Company in general, and Mr. Rous, a very worthy member of it in particular, have met with. However triflingly this affair may have been talked of, it is, in reality, of very serious and general consequence. At this time especially, when their election is drawing nigh, it is highly necessary that a clear and full account of that affair, with the real merits of the case, should be laid before the public; for putting it in our power to perform which, we are greatly indebted to the correspondent who hath favoured us with the following letter:

TO THE NORTH BRITON.

S I R,

AS a proprietor, I thought it not only my interest, but my duty, to attend the general court, when the conduct of Mr. Rous was to be examined. I cannot deny but, from the reports which were spread abroad, I was greatly prejudiced against that gentleman, and flattered myself with some degree of merit, if I could be instrumental in giving him up to public censure, which I had been taught to think he had deserved. For certainly, Sir, I could never be justified in supposing him innocent, however boldly he might stand on his defence, when the honour and uprightness of the minister was engaged to prove him guilty; and when a court of directors had considered his misdemeanor as so gross and palpable, that they would not even hear him; that, when called upon, they would not enter into the affair, would not give him an opportunity of explaining his conduct, but forced a friend of that gentleman's to move for his being called to an account at a general court, as one guilty of misconduct, merely to give him an opportunity of proving to the public, that his conduct had been fair and irreproachable. This I could never have believed without proof, though, at the meeting, the proof was too strong to admit of the least exception. Mr. Rous defended himself in such a manner as to turn the shame, intended for him, on his adversaries; he proved his behaviour not only to have been undeserving of reproach, but even worthy of approbation, and the result of that affair was exactly what every candid man would have wished, what his friends expected, what his enemies feared, but what a stranger, as I was, could never have suspected. As I considered this affair as of the greatest consequence to the future welfare of the company, I was particularly attentive to every thing which passed. I took down the substance of Mr. Rous's defence for my own use, which I now transmit to you for the satisfaction of the public, and on which you are at liberty to make what remarks you think proper, or to leave every reader to make his own. You will observe I have taken this affair merely as it was considered,
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immediately relative to Mr. Rous, and as the affairs of the company were naturally interwoven with his justification; but should be glad if you will in your remarks bring it down to the present time.

The two grand objects of the company, even from the time of commencing the negociation, under Mr. Pitt's administration, have constantly been:

1. A total exclusion of the French from Bengal, where the company enjoy extensive and valuable possessions, and from whence they derive their most profitable trade.

2. In the restitution of French territories, to fix such a period as would leave them nothing more than places of trade, without a single acquisition of territory by conquest or grant from the country powers, and it was found that the year 1744 or 1745 would effectually answer this purpose.

These views of the company were communicated to Mr. Pitt, in a letter from the chairman, dated the 27th of July 1761, and at that time France acquiesced in what was then proposed.

On the 4th of June, 1762, a copy of the letter, mentioned above, was transmitted to Lord Egremont, in consequence of a conversation which had passed between Mr. Sullivan and his Lordship, in which his Lordship had been made acquainted with the contents of that letter, and had desired to see a copy of it.

On the 22d of June, Mr. Dorrien and Mr. Sullivan had a conversation with Lord Egremont, in which his Lordship observed, on the letter to Mr. Pitt, that it conveyed the outlines of a plan of pacification; but he should be glad, in the most distinct manner, to know the company's expectations, and particularly, if they were ready, in return for excluding the French from Bengal, to give them back all their other comptoirs; to which he was answered, that the chairman and deputies would obtain powers from the court of directors for the transaction of this affair; which method his Lordship seemed to approve; but when he was reminded, on desiring that their sentiments might be delivered at large in writing, that the French should be the first proposers, he declared, that the company should not be made acquainted with the propositions made by the French, though before the whole was concluded, the gentlemen in the direction should know their objections.

The gentlemen were repeatedly asked, by Lord Egremont, if the company would be satisfied with excluding the French from Bengal (which, his Lordship said, he believed they would not submit to) and granting them all their factories and former possessions on the Coromandel coast? To this, answer was made, That it was meant the French should, in that case, possess all which they had possessed before the year 1745, but no grant whatsoever since that period; and that they also meant to exclude the donations to M. Dupleix and others. They likewise expressed their wishes, that both companies might be prevented from making war with each other; or, at least, that the French might be limited to a certain number of troops: the first of which his Lordship declared to be impossible; and the latter to be such an indignity as no nation would bear.

On the 24th of June, the chairman, deputy, and Mr. Sullivan, in consequence of the preceding day's conversation, agreed on the outlines of a plan to be drawn up, as the private sentiments of those three gentlemen, which the chairman was desired to communicate to Lord Egremont.

On the 25th of June, Lord Egremont received this paper from the chairman, and said it was sufficient for his private information; but at the same time said, he apprehended the French would not be prevailed upon to give up the Bengal trade.

On the 9th of July, Mr. Wood, deputy secretary of state, had a meeting at the India-House, with the chairman and deputy; at which he told them, that Lord Egremont expected a very regular plan of the company's expectations to be laid before him; and they had conversation concerning India.

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On the 16th of July, Mr. Wood came again to the India-House, and informed the chairman and deputy, that he had directions to lay before them his Lordship's sentiments, relative to the conversation of the 9th, in writing; which he did, by a letter delivered to them then, but dated the 9th of July, in which was contained, that Lord Egremont having been informed, by Mr. Wood, that those gentlemen understood the only matter relative to the interests of the company, as far as they become an object in future negotiation with France, to be contained in Mr. Sullivan's letter to Mr. Pitt, his Lordship considered that as the only matter lying before him from the secret committee, and that every thing else communicated, or that had passed in conversation, was not to be made use of—intimating, that it might not be amiss for the secret committee to be provided with the necessary powers, and to digest their thoughts relative to the interests of the company, so far as they might become an object of consideration for his Majesty's ministers, when the two crowns should come to treat of those affairs.

On the 21st of July, agreeable to what had been settled by the secretary of state, the secret committee (consisting of the chairman, deputy, Mr. Gough, and Mr. Tullie) were employed at a court of directors, to form a plan for the benefit of the company, to be laid before the ministry, and were also empowered to call in the assistance of any other person, and to report.

Soon after the secret committee met, with Mr. Hume and Mr. Sullivan, when those gentlemen desired time to give their thoughts in writing.

On the 12th of August, those two gentlemen produced their sentiments in writing; but Lord Clive, who was then present, not having been prepared, gave his opinion only in discourse.

At those, and other consultations, Mr. Sullivan strongly recommended the giving back to the Indian powers the territories adjacent to Masulapatnam, and to make Masulapatnam a neutral city, where each company should have a factory; but neither should be allowed to erect fortifications. This was exactly the doctrine laid down in his plan above-mentioned.

On the first of September, at a court of directors, the chairman, after communicating the proceedings of the secret committee, intimated to the court, that lest more considerable offers should be expected, the cession of the territories of Masulapatnam unto the Subah of the Deckan had been thought of, for rendering the terms of which the plan consisted more admissible to the ministry; but that the secret committee, not apprehending themselves justified in coming to any resolution in so material a point, he desired the sentiments of the court thereupon; and the court, after mature debate, unanimously agreed (excepting the deputy chairman, and another gentleman) that it was not proper to give up to the country powers the revenues of Masulapatnam, amounting to 50,000*l.* a year; and that therefore it should be no part of the plan to be laid before the government.

The above resolution was confirmed at the next court of directors.

The plan, which had been approved by the court of directors on the first of September, was left by the chairman at Lord Egremont's office on the 4th. It consisted of twelve articles, submitted with the greatest humility to the consideration of the ministry, enforced with the strongest arguments, and so clearly worded, explicitly commented on, that it was impossible the ministry should not have the clearest ideas of the company's interests in India.

In consequence of delivering in this plan, a letter was received from Mr. deputy secretary Wood, dated the 11th of September, importing Lord Egremont's disappointment in not finding such lights in it, as might facilitate what he has extremely at heart, which is to procure the most advantageous terms possible for the company, when a peace shall be concluded. His disappointment in not seeing such a confidential communication of their real expectations, as he thought the government entitled to, from the support afforded to
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the company during the war——his observation, that if the company asked more than they expected to get, they not only laid a very useless load on the secretary of state, who was disposed to get even more than they asked, was it possible, but also confined and clogged the best intentions in their favour——his declaration——notwithstanding his sincere regard to the company, as a part of the whole, not to lose sight of the latter great object for any partial considerations. Mr. Wood's private opinion—that should the secretary of state find it impossible to keep up to the sentiments of the secret committee, with regard to what is to be insisted upon, the company would find it full as difficult to succeed in a negotiation, which they seem desirous of managing themselves.

On the 16th of September the chairman waited on Lord Egremont, in order to obtain an explanation of Mr. Wood's letter of the 11th. His Lordship expressed great displeasure in regard to the sentiments of the secret committee, which had been transmitted to him; and when he was assured by the chairman of the disposition of the directors to do every thing in their power to facilitate an accommodation with France, and was entreated to point out in what manner the directors might be able to promote that good purpose—His Lordship—declined giving any answer. But although his Lordship was backward in declaring his sentiments, his secretary was not at all so; and very freely and without reserve charged the chairman with chicanery and dealing uncandidly with the government.

Thus treated without doors, and beset (to say no more) within, the secret committee began seriously to consider what might be the consequence of the company's being deserted by the ministry in the negotiations of peace. They considered of alterations and new propositions, which might be more favourably received by the ministry, and resolved once more to take the opinion of the court of directors upon the point of giving up to the country powers the revenues of Masulapatnam, notwithstanding the resolutions of the two former courts. By this time the court of directors took the alarm, they saw to what a precarious situation the company would be reduced if they were not included in the peace, and therefore in hopes of obviating all farther difficulties, they determined, though by a very small majority, to agree to a paper laid before them on the 22d of September, for restoring these revenues and territories to the country powers. This paper was left by Mr. Dorrien at Lord Egremont's office, on the 30th, under the title of, *The farther sentiments of the secret committee, submitted to the ministry, being a supplement to their sentiments of the 4th.*

The first notice taken of this paper of the 29th of September, was in a letter to Mr. Dorrien from Mr. Wood, dated the 16th of October; in which he mentions that a hurry of business had prevented his returning, agreeable to Lord Egremont's order, the above-mentioned paper, and that he should be glad to put it into the chairman's or deputy's hands, and explain why it was of no use, concluding with these remarkable words,—*his Lordship not chusing to meddle where he may do harm, or where it is put out of his power to do good.*

In a subsequent conversation between Mr. Wood and Mr. Dorrien, on the 20th of October, Mr. Wood declared he had orders from Lord Egremont to say, that——“as this was the first time the government had taken upon themselves to make a peace for the East-India company, he expected they would have acted with candour and openness to him; but as he found they had only a mind to throw off a weight from their own shoulders and burthen his Lordship with it, he was determined not to submit to such usage, as it was no part of his duty to settle a peace for the company, but had only offered it in regard to them, and that the proposals first delivered were such as he should have been ashamed to offer to the French ministry. That the supplement being delivered so long as twenty-six days after the first memorial, Lord Egremont did not think proper to regard it: had both come together, the plan might have been reasonable.” He added, “that it had in the general preliminaries been proposed to France to restore her

comptoirs or factories on the coast of Malabar and Coromandel, as also in Bengal, and a trade allowed them up the Ganges, but that they should raise no fortifications at the latter place, nor be suffered to have any armed force there: this they had agreed to, but with their usual artifice, in saying, all their possessions, instead of their comptoirs, should be restored; which word having a great latitude, he, Mr. Wood, advised Lord Egremont by no means to admit of.—That the above memorial being delivered in the interim, his Lordship had dropt making any reply, and there the affair rested; but that his Lordship had entrusted him, in case he met with any gentleman in the direction he thought proper to open it to, to say, that notwithstanding he had declined taking any thing upon himself, yet, if the company would prepare one general article to be inserted in the preliminaries, his Lordship would try to serve them.”—After some discourse, Mr. Wood himself drew up the following article, which the deputy chairman desired he might lay before the secret committee, as he could not, without their consent, venture to agree to any thing of himself.

“ All the comptoirs taken in India, either by the French or English, to be restored. The French and English to have nothing more than factories at Masulapatnam: the town, and its dependencies, to be restored to the Nabob; an hundred soldiers to be kept, if thought proper, by each nation, for protection of trade.

“ The French, though restored to the trade of the Ganges, and to mere factories for that purpose, are to have no troops or fortifications there.”

After this, Mr. Wood declared that Lord Egremont could not meddle any farther, nor deviate in the least from the article the company should propose, and that in case they were left out by being unreasonable in their demands, the blame must fall upon themselves, and his Lordship should not postpone the public peace on their account, if the other terms could be settled: he then desired that what the company had to offer might be delivered on Friday morning, before ten o'clock, this being Wednesday; there being a council appointed for that day, and he did not doubt but he should prevail upon Lord Egremont to receive it.

This conversation and article were taken into consideration by the secret committee, on the 21st of October, and on the 22d the chairman and deputy waited on Lord Egremont, and requested farther time, that the secret committee might consider the terms to be offered in behalf of the company, according to this (curious) article, drawn up, and delivered by Mr. Wood. His Lordship readily acquiesced with this request, and said, he would send them the article to be proposed, for their consideration, subject to such alterations as they should think proper, which should be sent to the court of France, and then the committee should be made acquainted with the result thereof, and be informed from time to time what passed on the subject.

The chairman and deputy expressed their concern in having incurred his Lordship's displeasure, by not fully answering the expectations of government, in the memorial offered by the secret committee. To which his Lordship answered, he would argue the case coolly and without resentment; but that he thought the committee were not candid in offering such terms as they could not expect the French to comply with. The chairman and deputy then entered into the views of that memorial, and represented the great danger of restoring to the French the territories they had formerly possessed in the Carnatic, as the company would thereby risque the great debt due to them from the Nabob, after having engaged in a long and expensive war, to prevent the French from aggrandising themselves, according to Mr. Dupleix's ambitious views. That these considerations induced the company to give it as their real sentiments, that the French ought to be restored only to the state they were in on that coast before the year 1744, and confined as much as possible to a mercantile system; and at the same time to remove a subject of future dissensions, they had been induced to relinquish their

their own pretensions to Masulapatnam, thinking likewise that this offer might prevent any obstacle to the general peace. To which his Lordship replied, he could see no reason for such a concession, nor that it would answer any purpose; however, at least, it ought to be kept in reserve.

At eight o'clock the very same night (Friday the 22d of October) a message was sent by Mr. Wood, in writing, to the chairman, inclosing the following preliminary article, by Lord Egremont's order, and signifying at the same time that his Lordship would dispatch his messenger on the morrow night, or Sunday morning.

" In the East-Indies England shall restore to France the several comptoirs
 " which that crown had before the present war, on the coast of Coromandel
 " and Malabar, as well as in Bengal; but the comptoirs in this last part of
 " India shall not be restored, but on condition that his Most Christian Ma-
 " jesty obliges himself not to erect any fortification, nor entertain any troops
 " there; and the Most Christian King engages to restore to the King of Great
 " Britain, all the conquests that may have been made by the French forces
 " over the English in the East-Indies."

This article, thus sent down late at night, and on which no further time for deliberation was given than the next day, was laid before the secret committee about noon, on Saturday the 23d of October. It was in vain to hope for any alteration in respect to Bengal, and equally in vain to mention the year 1744 as the period of restitutions, and extremely difficult to fix a precise meaning to the word comptoirs, which (if it included settlements, factories and possessions) would instantly restore to France that immense extent of trade, territory and power, which nothing but Providence had prevented, after the commencement of the war, from bringing utter ruin on our company.

In this dilemma all that the secret committee could do, and more, indeed, than they could expect to succeed in, according to the present humour of the ministry, was to make some alterations in the period of *uti possidetis* now set down to them; and with this view they came to a resolution to return the article altered as follows:

" In the East-Indies England shall restore to France the several settlements
 " which that crown had at the commencement of the present war between the
 " two companies in India, viz. in 1749, on the coasts of Coromandel and
 " Malabar, in the condition they shall be found; and also the comptoirs they
 " had in Bengal. But these restorations shall not be made but on condi-
 " tion that his Most Christian Majesty renounces all claim to subsequent acqui-
 " sitions, and obliges himself not to erect any fortification, nor entertain any
 " troops in Bengal; and the Most Christian King engages to restore to the King
 " of Great Britain all the conquests that may have been made by the French
 " forces over the English in the East-Indies."

The committee also sent up, at the same time, two articles, which they entreated might be made part of the preliminaries, or be considered in the general treaty.

The first related to acknowledging the rights of the present Subah of the Deckan, and the Nabob of the Carnatic. The second, to the restoration of the Chinese families and slaves carried from Bencoolen by the Count d'Estaing, and a reimbursement of the charges incurred by the English company, on account of the French prisoners of war. A letter was also approved by the committee, and signed by the chairman and deputy, in which all ambiguity of expression was carefully avoided, and the reasons of the several alterations in the preliminary articles plainly and forcibly laid down.

On Sunday the 24th of October, the chairman received a message from Mr. Wood, desiring to have some conversation with him that day, or next morning. The chairman accordingly waited on him, and was told, There having been no actual war in India between the two companies, in the year 1749, that
 those

those words, "the present war," seemed improper: it was therefore agreed, that the commencement of hostilities should be inserted in their stead, which would cure the impropriety without altering the sense of the article.

On Monday the 25th, at ten at night, the chairman received a letter at Hackney, from Mr. Wood, inclosing the article, thus altered, in point of expression only, and desired an immediate answer, whether it was agreeable to the chairman's idea, as explained the preceding day? This article being the same as seen in the preliminary laid before the public, was returned to Mr. Wood exactly as received, with a remonstrance in his letter in favour of the country powers, which was disregarded.

This, Sir, is the substance of what Mr. Rous delivered in favour of his conduct; and however clear and full it was then thought, and must now appear to a considering reader, who will connect and weigh the parts of it together, so as to form a true judgment of the whole; yet, as it is of some length, and of a complicated nature, I think it would not be amiss, in your next paper, to throw together some general remarks on these transactions, not only as they relate to that gentleman's justification, but as they regard the interests of the company.

I am, Sir,

Your very humble servant,

A PROPRIETOR.

A FRAG-



A

F R A G M E N T,

Which, it is said, was found in the pocket of one of the printers, who were apprehended by the King's messengers, supposed to have been intended for No. 46. of

THE NORTH BRITON,

To be published on the following Saturday, April 30, 1763.

Was it not enough that ye mocked men, but must ye mock the Lord also?

BIBLE.

IT is a very melancholy consideration, which must fill every serious mind with the deepest concern and horror, that RELIGION is now made a political state-engine, to serve the vilest and most infamous purposes of an abandoned minister, or of a wicked and corrupt administration. Not only every good man must be shocked to see, what is in its nature sacred, thus prostituted to the shameful ends of faction and party, but every decent man must be alarmed at so public a contempt and violation of that respect which is generally paid, even by the profligate and abandoned, to the sentiments of the sober and thinking part of the community. The religious man will go a step further: he will consider a proceeding of this kind as an impious mockery of heaven, and shudder at the dread of the fatal consequences he must apprehend from it.

I am led into these reflections by the form of prayer and thanksgiving to Almighty God, for putting an end to the late bloody and expensive war, by the conclusion of a just and honourable PEACE. I look upon this to be a most daring insult on the common sense of mankind, and not only an outrage to the public, but a solemn mockery of the Divine Being. Are we by a ministerial mandate to

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thank

thank God that the Scot has sacrificed our most important conquests to the inveterate enemies of our religion and liberties? Is the English nation to acknowledge the goodness of the Almighty, because, according to the regular dispensations of his providence, he has only suffered a weak and incapable minister to conclude a peace, so inadequate to the success with which the Divine Being crowned our just cause, so inglorious to the nation, so treacherous to our allies? a peace too for which all Europe expects to see him called to a very severe account? Should we not rather conclude, that the late peace was given us by God in his wrath; and ought we not in consequence to humble ourselves before him, and to deprecate the other punishments, which seem to be coming very fast, as well as very weighty and grievous upon us? The excise was plainly given in the just indignation of heaven against us, and the severest marks of vengeance will certainly be felt this year, though I hope our virtue will redeem us from so ignominious a bondage in the next.

I suspect that we have copied this new species of wickedness, the insulting the Divine Majesty of heaven, from the worst of our neighbours the French. They, almost regularly after a signal defeat, sing *Te Deum*, with the greatest pomp, and by a thousand insolent songs of triumph endeavour to impose on the fond credulity of the people. That perfidious nation has never scrupled the defying God, to secure any temporary advantages; and their most solemn acts of devotion have plainly appeared to have been enjoined only to serve the artful purposes of the state. Is this the nation which is to be proposed for our pattern? And are the English to become what the Scots were for a long time, the professed admirers and imitators of the most atrocious frauds and perjuries of their old friends and allies, the French? These two nations have generally acted like the same subjects of one natural king, as Clarendon expresses it, on occasion of the letter, which Lord Loudon, and others of the Scottish nobility, wrote to the French king, to ask his protection, and to put him in mind of the dependence the kingdom (SCOTLAND) formerly had upon that crown (of FRANCE.) The letter too was directed in the stile of subjects to their own sovereign, *au Roy*. Such imitations of foreign manners will, I hope, be confined to the Scots, and never be followed by the English. I blushed when I read the late false and extravagant compliments of the Duke of Nivernois, and our unmanly returns. The violent professions of friendship made by France to this country, are not only surfeiting and suspicious, but very alarming, and I believe designed to cover some deep treachery. The great Duke of Marlborough, in a letter to Queen Anne, says, It is not my opinion only, but the opinion of all mankind, that the friendship of France must needs be destructive to your MAJESTY, there being in that court a root of enmity irreconcilable to your MAJESTY's government, and the religion of these kingdoms.

Rejoicings should on this occasion be left to our enemies, and the greatest preparations are accordingly making by France and Spain to celebrate a peace, by which they have recovered those important conquests, for which so much blood and treasure have been lavished——only for a minister to signalize his incapacity and treachery. But are WE to rejoice, and to join together in thanksgiving for a peace, by which France recovers Guadaloupe, Mariegalante, Desirade, Martinique, St. Peter, Miquelon, Pondicherry, all her settlements in the East-Indies, Goree, Belleisle, &c. her most valuable fisheries, &c. and the ancient disturber of the tranquillity of mankind, is again put in a capacity of endangering the liberties of Europe? Are WE solemnly to mock God by our rejoicing, that our minister has made a scandalous exchange of the Havannah, so important in itself, and which left all the settlements of Spain in the new world at our mercy, only for the wretched Florida?

I always feel the truest rapture, when I see the most excellent prince in Europe, the delight of his people, appearing in public to subjects, who build their own happiness on that of their amiable monarch. Yet I own, I hope my sovereign

reign will not go on Thursday in solemn procession to St. Paul's, because I fear the censure of the malicious and ill-intentioned. I believe the city of London, so justly renowned for the high spirit of liberty, tempered with the firmest loyalty to their princes, was not gratified with the presence of their beloved king, either after the taking of Martinique, Pondicherry or the Havannah. If gratitude to heaven in all these great events was shewn by our pious prince rather in private devotion than in any solemn, public act, I should hope, (if I may be allowed to form a wish on this great occasion) that the humiliating circumstance of giving up so many and important conquests, was not to be attended with parade or ostentation; for, I confess, I fear the ill-humour, which is too visible in the body of the people, enraged by an ignominious peace, and the late attack on their liberties, by enlarging the dominion of that accursed fiend, the EXCISE. I hope, therefore, that on the day of thanksgiving for the Peace, his majesty will only go to chapel, and that all bloody iron swords being now sheathed and laid aside, the peaceful wooden sword of state will be carried by that excellent peace-officer, Lord George Sackville.

* * * * * great illuminations at the
 hotels of the French and Spanish ambassadors * * * * *
 * * * * * Scotland-yard, * * * * * South-
 Audley-street * * * * *
 * * * * * the British Coffee-house * * * * *
 * * * * * all the Scottish tradesmen in the court, in a blaze * * * * *
 * * * * * the Treasury, Admiralty, &c. on fire * * * * *
 * * * * * Egyptian darkness through the city * * * * *
 * * * * * all the churches empty * * * * *
 * * * * * the bells muffled, or tolling the loss of Martinique, Guadaloupe,
 the Havannah, &c. &c. &c.

Numb. XLVI. Saturday, Nov. 12, 1763.

Sed quanto ille magis formas se vertat in omnes,
Tanto, nate, magis contende tenacia vincla.

VIRG.

The more into all shapes he change himself,
The more, my son, constrain the biting chain.

IT is not possible to imagine a more general satisfaction and more lively joy than appeared among all ranks of men in the beginning of the last spring, when our most excellent sovereign graciously condescended to gratify the wishes of his people, by removing the Earl of Bute from the post of First Commissioner of the treasury. England had long smarted under the most rapacious acts of oppression and tyranny, which were frequently, sometimes very wantonly, exercised by that insolent, over-bearing minister. A general confusion had been introduced into every department of the state; but the finances in particular, because that was the province he had peculiarly made his own, were almost ruined. The national faith, which had been so celebrated in former times, began to be held in contempt, and one of our allies made no scruple to upbraid our ministers with an absolute breach of repeated promises and solemn engagements. Public credit, even so early after this glorious Scottish peace, began to droop, and foreigners had already taken the alarm.

The public joy, at the removal of so corrupt and so incapable a minister, was very universal and sincere; but alas! the days of triumph, on an event which had so long been the object of our most ardent wishes, were few and clouded. The nation hoped, as the natural and immediate consequence, to have seen the restoration of Mr. Pitt, and of the great Whig families, the ancient and the only real friends of the house of Brunswick. The public voice seemed to have reached the ears of the sovereign. It was not at first believed that only the name would be changed, and that the administration of affairs could be entrusted to three known, hackneyed tools of that very minister, who were at one moment openly, at another with a little feint, to pursue the same system, the same unnatural measures: yet, from a temporary despair, this soon became the case. *Res ad Triarios rediit.*

These three political *Horatii*, almost immediately after the removal of the Scot, obtained a pretty explicit declaration in their favour, and at once leagued together, not for the salvation, but for the plunder of the state, for the maintenance of their own power, and the securing to themselves, their relations, and even new-born babes, the most desirable possessions and reversions in the kingdom, in our conquests and our colonies. Not one of these men possessed, in the smallest degree, the affections, or even the good opinion of the people. They seemed content to bear the curses of their country, provided they could share among themselves the most lucrative offices of the state. The pride and insolence of one of them were never equalled by any of his countrymen, and had before made him as universally odious in private, as he soon became in public life. A savage disposition, and brutal manners, which early appeared in his juvenile pleasures, were joined in him to that spirit of despotism and cruelty, so characteristic of the Stuart line, the love of which his father, if he did not inculcate into his children, had yet carried with him quite through life. An
ignorance

ignorance scarcely to be credited, and a mulishness, which could never be conquered, rendered him the contempt of all, who were so unhappy as to be under a necessity of attending upon him.—But he has paid the debt to nature, and is gathered to the dull of antient days.—The other Lord has been said to concur very unwillingly in the prosecution of the same odious schemes: but the state of affairs at home, and the necessity of regular quarterly payments, drove him to an entire acquiescence with every measure prescribed.—As to the commoner, he was chosen, because he had gone through the several departments of government, was universally allowed to be the dullest and most laborious pack-afs of the state, and, in his youth, had seen a little practice in law proceedings. He was therefore pitched upon to suggest the various modes of carrying into execution the many projected acts of oppression, and at the same time keeping just to the windward of the law, or within the letter of an act of parliament. He was the true author of the most grievous part of that cruel Act for the new excise on cyder and perry, by which the excise officer has forced his way even into private houses, on this side the Tweed; for such is the partiality of this tax, that it will affect only a few English counties, but not one Scottish. It must be owned, that no man was ever fitter for the business he undertook. He has no passions. A perfect apathy reigns in his breast, save that an overflowing of the gall is now and then a good deal troublesome to himself, though very little to any other person. He is incapable of pity, of remorse, or even humanity, and, indeed, of all those fine feelings which men of more delicate mould, and lively parts, relish in so exquisite a degree. His constant gravity and solemn deportment were of real service; for they impressed an idea of dignity and importance on the common beholder; and his want of passions gave him an opportunity of affecting a wonderful sanctity of morals.—*Tertius e celo cecidit Cato.*

Under such an administration, is it at all surprising that our affairs at home are declining, and our glory abroad sullied? Some few changes have indeed been made; but have such men* been brought in as had the confidence of the nation? I will venture to affirm, that a more universal discontent never appeared among the people than at present. We were told, that by the late peace a full security was obtained for our American colonies. Is that the fact? The numbers of our fellow subjects basely murdered in the time of this profound glorious peace, give the lie to the flattering addresses of some vile hirelings in their mother country, and demand vengeance on the ministers, who have so scandalously neglected, and left in a state of insecurity, not only our new conquests, but our most valuable colonies. Those are made a prey to the rapacity of four hungry Scottish governors; these are left exposed to the barbarity of savages,

* Of these men, the most infamous in every respect, was the E--- of S----. He had passed his youth in so abandoned and profligate a manner, that when he arrived at the middle age of life, he did not, in the opinion of the world, remain in possession of the smallest degree of virtue or honour. His conduct, with respect to women, was not only loose and barefaced, but perfidious, mean, and tricking. He was restrained by no considerations of private character, nor checked by any regard to public decorum. Frauds of the lowest nature, enforced by perjuries and falsehoods, were his only arts. With respect to men, he had early lost every sentiment of honour, and was grown exceedingly necessitous from the variety of his vices, as well as rapacious from the lust of gratifying them. Nature denied him wit, but gave him a species of buffoonery of the lowest kind, which was ridiculous in a man of fashion, and fit only for the dregs of the people. In business he was slow, tedious, and dull. He was sent, on the part of England, to conclude the general peace at Aix-la-Chapelle, in 1748; where he made such childish blunders, that an able and experienced minister was obliged to be sent from Vienna on purpose to do the business of the plenipotentiary. The minister declared, on his arrival, that no one point of real importance had been settled. Even the usual and necessary forms of the ratifications of former treaties had been omitted, by which our greatest commercial advantages, particularly with Spain, would have been sacrificed. Since that period, to the present year, L--- S----- was laid aside, as totally unfit for any arduous or even serious business, nor has any thing of moment been, by any administration, trusted to him alone. Almost every good man having been forced out, or voluntarily left the present ministry, the seals of the secretary of state, of the Northern department, were put into his hands; and the nation, from that moment, saw that the administration were determined to aim a deadly blow at the vitals of liberty, and the English constitution; and therefore had pitched on the most profligate fellow of the age for that most profligate attempt.

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whom the intrigues of our new friends, the French, and repeated injuries from our own people, have, at length, armed against us. As to the merit of three of these gentlemen, I am a perfect stranger: the demerit of the governor of Quebec the world has seen; for he had very nearly lost the most important conquest we made during the whole war; a conquest purchased with the blood of one of our first heroes, the immortal Wolfe. Among the variety of new measures, which this nation must ever deplore, the appointment of military men to civil governments is not the least to be lamented: a policy reserved for such puny politicians as we have seen taken from the Cocoa and Arthur's, to make ministers of, and which is deservedly become the ridicule of all Europe. I will only further observe on this head, that the partiality of these appointments to every new government we have acquired, plainly marks the same hand fatal and hostile to England, which, instead of holding the fair balance, has, by violence and injustice, kept down one scale, and made the other kick the beam. A Gazette so late as that of Saturday † the 8th of October, must convince every man, that even now Scottish influence is not at an end, and that all pretences of that kind, whether they are made by men in or out of power, are captious and delusive.

As to our affairs at home, I am free to declare that almost the only healthy symptom of the state seems to me the noble spirit exerted by our countrymen in the counties of Devon, Cornwall, &c. The summer has not passed in inglorious ease, neither in the West nor the South of this once happy island, and I trust that the holy flame of liberty, which has glowed in the hearts of many, will be caught by all the representatives of this free country. Parliaments are, by the constitution of our government, the guardians of liberty. Before them it is the duty of the people to lay their grievances, and it then equally becomes the duty of our representatives to redress them. I have therefore no doubt that very early in the ensuing session of parliament our countrymen will be delivered from this new bondage of excise, the only badge of slavery which this kingdom knows under the mild government of the most amiable of our princes. A British house of commons will ever be faithful to the great and important trust reposed in them by the collective body of the people; and when the sense of the nation is so clearly known, there ought surely to be no hesitation in any administration to conform to it. A neighbouring kingdom has very lately given us a proof of that constitutional spirit and love of freedom, which has ever distinguished those true and zealous Whigs. The lord lieutenant of Ireland, by several leading passages in his speech to parliament, seemed servilely to beg their approbation of the late peace. He vainly hoped that his sycophant court language would be echoed back in the address; but an honest house of commons there, greatly superior to all undue influence, would give no congratulation on such a peace, nor prostitute the words glorious, honourable, or adequate, to what has disgraced us to all the world. On the contrary, those generous sons of freedom, embarked in the same noble cause with ourselves, declare, in an animated manner, that they cheerfully supported such heavy burthens during the continuance of the late successful war; and, in the coldest way, but just mention the re-establishment of a general peace.—The parliaments of France likewise have, in the course of last summer, set an example of free-

† The king has been pleased to constitute and appoint the Honourable James Murray, Esq; to be his Majesty's Captain General and Governor in Chief in and over his Majesty's province of Quebec in America.

The king has been pleased to constitute and appoint James Grant, Esq; to be his Majesty's Captain General and Governor in Chief in and over his Majesty's province of East-Florida in America.

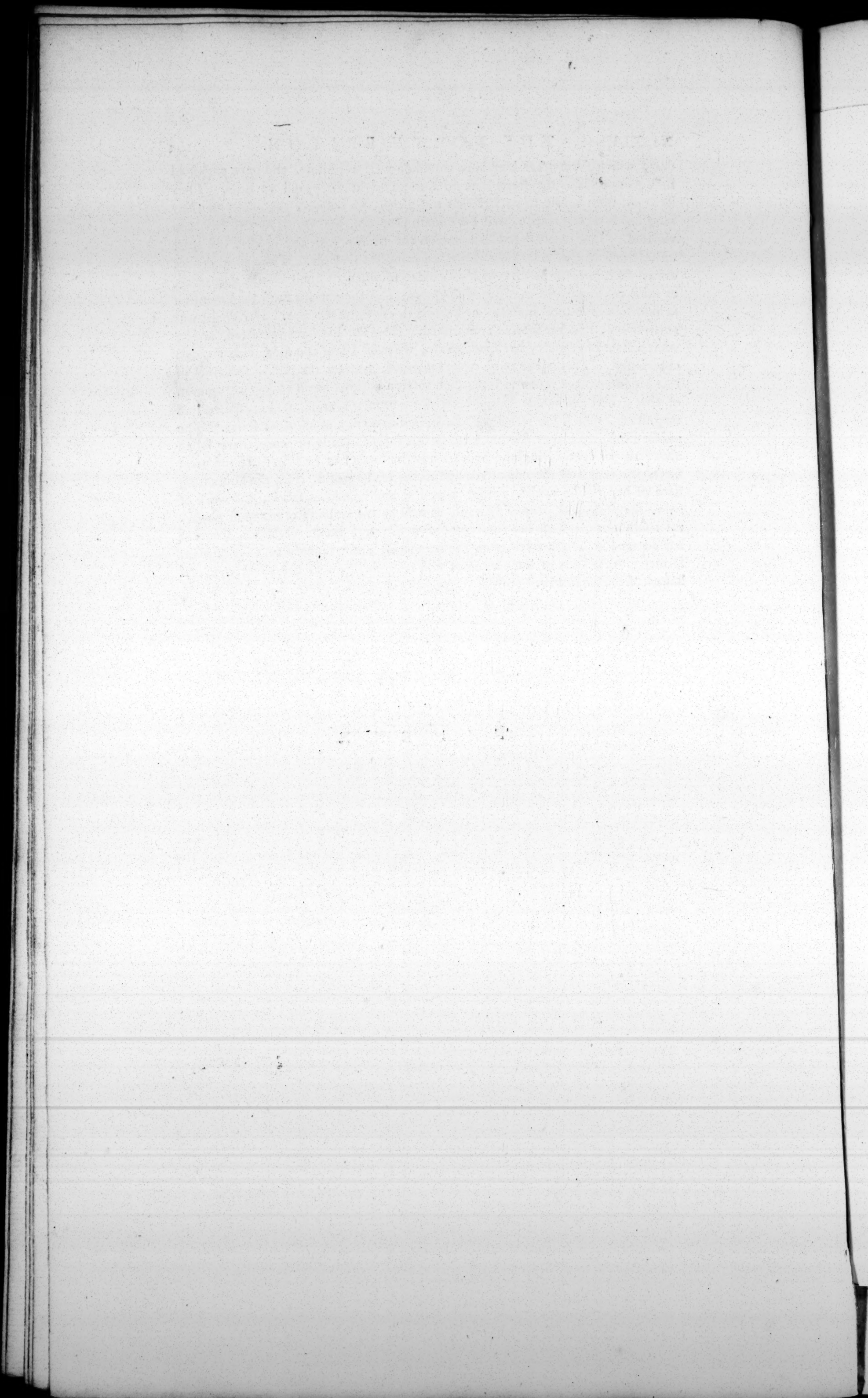
The king has been pleased to constitute and appoint George Johnstone, Esq; to be his Majesty's Captain General and Governor in Chief in and over his Majesty's province of West-Florida in America.

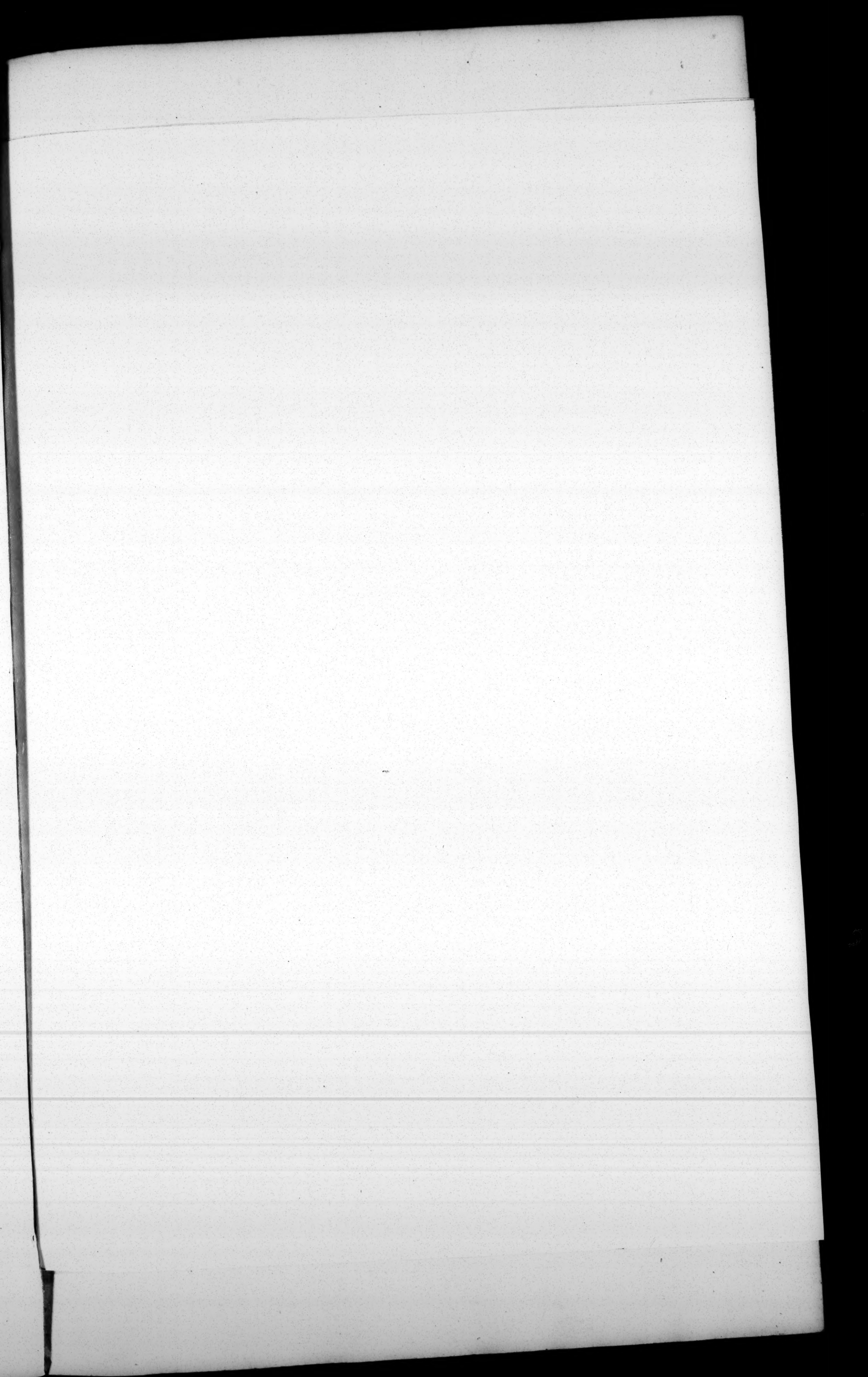
The king has been pleased to constitute and appoint Robert Melvill, Esq; to be his Majesty's Captain General and Governor in Chief in and over his Majesty's islands of Granada, the Grenadines, Dominico, St. Vincent, and Tobago in America; and of all other islands and territories adjacent thereto, and which now are, or heretofore have been dependent thereupon,

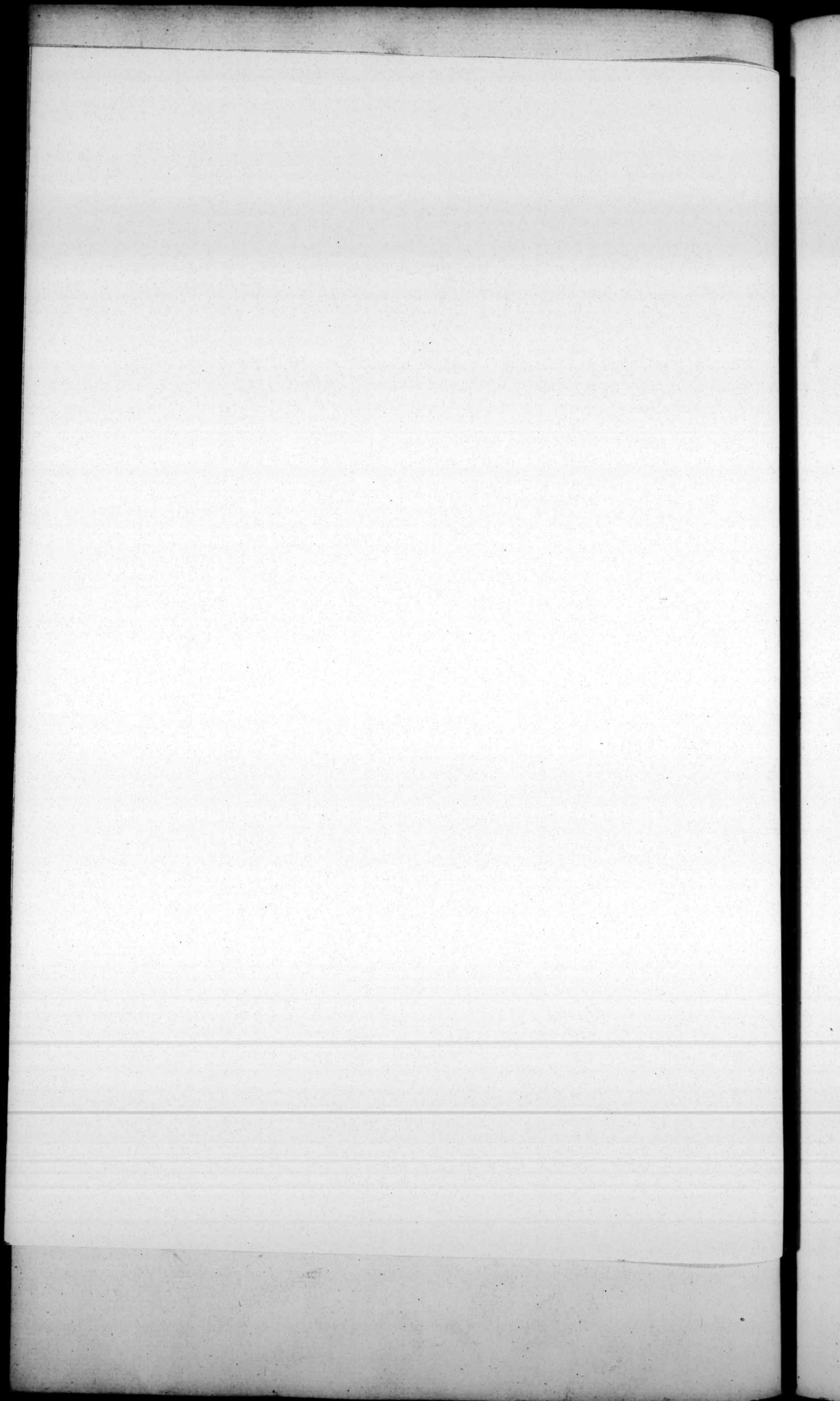
dom, which some other kingdoms would do well to imitate, and have presented such memorials as the freest state in Europe might be proud to own. They have not been afraid to declare that the piety, the honour, the justice of their king had been surprized; that his solemn promises, and sacred word, had been violated. They have dared to approach the throne with the boldest and most unwelcome truths, and have made bad ministers tremble. They have besides drawn such faithful pictures of the extreme miseries of their bleeding country, as must confound our ministerial hirelings; and the various facts they mention demonstrate the total inability of France to continue the war. Her credit was entirely lost, and her marine annihilated. How she has since recruited, and in what a state of recovery her finances are, we must I fear too soon with anguish experience. This is the more to be lamented, because the public securities of this kingdom have fallen so low, that foreign nations begin to lose all opinion of that credit on whose broad basis our commerce arose, and encreased to a magnitude, which has raised the admiration and envy of all other states. The public funds, in a very few months, in this early dawning of peace, have fallen above 14 per cent. England appears now in danger of ceasing to be the great mart, the centre of the commerce and riches of the world, from the fluctuating state of her public credit. That beautiful and wondrous fabric, the work of ages, the pride and glory of Britain, as well as the jealousy of her most powerful neighbours, which has survived two desperate Scottish rebellions, seems at last doomed to fall a sacrifice to the incapacity and treachery of a set of men, formerly the objects of the contempt and ridicule, now of the abhorrence and hatred of their country.

T H E E N D.

I N D E X.







T H E

N O R T H B R I T O N .

N U M B E R XLVII.

To be continued every *Saturday*. Price Two-pence Halfpenny.

Rarâ temporum felicitate, ubi sentire quæ velis, & quæ sentias dicere licet.

TACITUS.

T U E S D A Y , M A Y 10, 1768.

OF all the advantages attending our free government, none is of greater importance, than the Liberty of the Press, which, indeed, is essentially necessary to the preservation of all our other liberties. Destroy that, and every other privilege we enjoy, is annihilated of course. For, if once we must submit, without murmur or complaint, to every imposition that is laid upon us; and if no regard is had, in the laying of these impositions, to the abilities or inclinations of the people, but solely to the will or caprice of our rulers; 'tis of little consequence whether we be governed by one hereditary despotick prince, or by a number of petty tyrants of our own making.

THE press, therefore, I consider as the only channel, through which the ministry can be informed of the sentiments of the people; and the people, in their turn, of the conduct of the ministry: and I will take upon me to affirm, that, in all the matters of importance, especially in those which relate to domestic policy,

licy, the conduct of the one must be regulated by the sentiments of the other: if it is not, a jealousy must arise between the governors and the governed; and their differences, not capable of being determined by the calm method of argument and persuasion, must at last be decided by the *ratio ultima regum*. Weak or wicked ministers, indeed, may affect, as much as they please, to despise the sentiments of the publick; but, sooner or later, they will be convinced of their folly.

“ ’Tis sufficiently known,” says a celebrated writer, * “ that
 “ *arbitrary power* would steal in upon us, were we not extremely
 “ watchful to prevent its progress, and were there not an easy
 “ method of conveying the alarm from one end of the kingdom
 “ to the other. *The spirit of the people must frequently be roused,*
 “ *in order to curb the ambition of the court; and the dread of rous-*
 “ *ing this spirit must be employed to prevent that ambition.* No-
 “ thing so effectual to this purpose as *the Liberty of the Press,*
 “ by which all the learning, wit, and genius of the nation may
 “ be employed on the side of liberty, and every one be animated
 “ to its defence. As long, therefore, as the *republican part of our*
 “ *government can maintain itself against the monarchical, it must be*
 “ *extremely jealous of the Liberty of the Press,* as of the utmost
 “ importance to its preservation.”—And a little further on he
 says, “ That if ever the Liberty of the Press be lost, it must be
 “ lost at once. The general laws against sedition and libelling
 “ are at present as strong as they possibly can be made. Nothing
 “ can impose a farther restraint, but either the clapping an IM-
 “ PRIMATUR upon the Press, or the giving to the court very
 “ large discretionary powers to punish whatever displeases them.
 “ But those concessions would be such a barefaced violation of
 “ liberty, that they will probably be the last efforts of a *despotick*
 “ *government.* We may conclude *that the liberty of Britain is*
 “ *gone for ever,* when these attempts shall succeed.”

* David Hume, esq; author of the History of England, and of several political and philosophical essays, and late under-secretary to general Conway, while that gentleman was secretary of state.

SUCH are, or at least *were*, the sentiments of this learned and ingenious writer; and indeed it must be owned, that they are founded in reason and common sense. For if once the people are deprived of the privilege of expressing their opinion of public affairs, and representing their grievances through the channel of the press, the ministry, freed from this necessary controul, and left to the guidance of their own wayward humour, will naturally be tempted to enlarge their own privileges, and to abridge those of the subject; and thus our liberties may be irretrievably ruined, before we are so much as aware of the danger.

ALL power is of a very bewitching and intoxicating nature, and is apt to make those who are possessed of it, forget the end for which it was originally bestowed upon them. It was, therefore, a wise practice of a certain ancient prince, to have a person continually placed at his elbow, who successively repeated the following sentence in his ear. *Remember thou art but a man.* The example of this prince I would earnestly recommend to the imitation of our ministers; and till such time as they can be persuaded to adopt so useful and salutary a custom, I shall beg leave to supply to them the place of a monitor, and occasionally to remind them, that whatever ridiculous notions of independance their pride may suggest to them, they are at best but *the servants of the publick*; that, like all *other servants*, they are accountable to their *masters*; and that if they cannot account for their conduct in a clear and satisfactory manner, they must be dismissed from their service, if not with punishment, at least with disgrace.

I WOULD therefore intreat the reader to consider me as a kind of intermediate person between the people and the ministry; that is, between *the masters and their servants*, and one who will faithfully communicate to each party the sentiments of the other. I am, indeed, sufficiently aware of the danger attending such a delicate office. From the people nothing is to be feared: from the ministry every thing is to be apprehended. By the former I shall be esteemed a publick benefactor; by the latter I shall
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be branded as a malicious informer. I even know, that it is more dangerous to write against the ministry, than against the king himself; agreeable to the observation of that witty, but abandoned monarch, king Charles the Second; who happening, one day, in passing through the streets, to see a man standing in the pillory, asked what crime the culprit had committed? *Please your Majesty*, answered one of his attendants, *he has wrote a libel against your ministers.* *The fool!* said the King, *why did he not write against me? they would have done nothing to him.*

NAY, I know, that, favourable as the laws are to the liberty of the press, yet, by the help of a little chicanery, and of a few quirks and quibbles, almost any thing may be construed into a libel; and that the condition of the English may soon be as bad as that of the Romans, at the time when, by an imperial law, it was decreed, that those who called in question the prince's judgment, or doubted of the merit of such as he had chosen for publick offices, should be prosecuted as guilty of sacrilege*. "Surely," says an excellent writer †, "it was the cabinet council, and the prince's *favourites*, "who invented that crime." By another imperial law it was determined, that whoever made any attempt to injure the ministers and officers belonging to the sovereign, should be deemed guilty of treason, as if they had injured the sovereign himself. *This law*, says the same admirable writer, *was owing to two princes ‡, remarkable for their weakness; princes who were led by their ministers as flocks by shepherds; princes who were slaves in their palaces, children in the council, strangers to the army; princes, in fine, who preserved their authority only by giving it away every day.*

BUT, whatever may be the difficulty and danger of the work I have undertaken to execute, I am determined, nevertheless, to prosecute my design, and to exhibit, in the first place, a compleat

* *Sacrilegii instar est dubitare an is dignus sit quem elegerit imperator.*

† MONTESQUIEU.

‡ ARCADIUS and HONORIUS.

view of all the blunders which the ministry have committed for some time past; and to inform them, in the next place, what the publick expects from them for the future. Nor shall their *good actions* be concealed; for I mean to be impartial. The prudent arrangement they have made among themselves, by intrusting the care of the public treasure to a *worthy youth*, who, but a few years ago, gamed away his own private fortune; and who, being thus happily freed from the drudgery of attending to his domestick affairs, is the more at leisure to attend to the affairs of the nation: The wise steps they have taken to allay the jealousies of the American colonies, who now, it is well known, are perfectly reconciled to the English government: the remarkable steadiness and consistency they have manifested in all their conduct, by enacting no laws, but what they carried into complete execution: witness the Cyder and Stamp Acts, which they framed with such prudence, and enforced with such spirit, that these duties are now levied with the greatest ease and regularity: the respect and reverence they have procured to the government, by making a smaller number of changes in the administration for these seven years past, than have sometimes been made in it during a single year preceding; so that the ministry no longer resembles, as it formerly did, a country-dance, or a game at foot-ball: The signal instances they have repeatedly given of true disinterestedness and publick spirit, in refusing all offers of pensions, sinecures, and reversions, for themselves or their posterity: the œconomy and frugality they have observed in the management of the public revenue, particularly of that part of it which is allotted for the civil list; which, instead of running it in arrears, like their prodigal predecessors, to the amount of no less than *six hundred thousand pounds*, they have expended with such a cautious and sparing hand, that there is now in the Exchequer a balance due to the crown of a greater sum than the one just mentioned: the uncommon zeal they have so nobly displayed for preserving inviolate the property of the subject, in rejecting a proposal that was made to them by the Favourite for taking the forest
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of Inglewood from the Duke of Portland, and giving it to Sir James Lowther*, conscious as they were, that, by such a proceeding, they should not only commit a most flagrant act of injustice, but should likewise be guilty of a violation of the laws, in endeavouring to controul the freedom of elections: The regard they have shewn to the spirit of the constitution, the liberty of the subject, and, indeed, to the dictates of common sense, in refusing to draw out the military force, either in St. James's Park or in St. George's Fields, to secure the person of a man, who came to surrender himself voluntarily to the Court of King's-Bench; and who, if he had pleased, might, with the same facility, have fled from justice: and, in truth, had he been so minded, might have set the whole military force of the kingdom at defiance; a man too whom the ministry, so far from having any intention, as some of the Favourite's creatures would willingly persuade us, to deprive him of the seat which he has legally and constitutionally obtained in parliament, are sedulously employing every means to establish in the firm and undisturbed possession of the honour, which his constituents have conferred upon him. These, and the like *good actions* of the ministry, of which those I have mentioned form but a very small part, shall be properly blazoned in the ensuing numbers of this paper. I am sensible, indeed, that my abilities are by no means equal to my zeal. But though I must confess, in the words of one poet, that *cupidum—deficiunt vires*, yet I can say in the words of another, that *in magnis voluisse sat est*.

* The conduct of the ministry, with regard to this grant, however meritorious, is not yet the most meritorious of their actions. Their conduct, with respect to another grant, is no less praise-worthy; and the publick shall be informed of it in a very little time.

LONDON: Printed for W. BINGLEY, opposite Durham-Yard, in the Strand.

This Day was published, the FOURTH EDITION of

A LETTER to the Right Honourable THOMAS HARLEY, Esq; LORD-MAYOR of the City of LONDON, on his Behaviour towards JOHN WILKES, Esq; during the Election of the four City Members. By an ALDERMAN of LONDON.

T H E

N O R T H B R I T O N.

N U M B E R XLVIII.

To be continued every *Saturday*. Price Two-pence Halfpenny.

Res in præcipiti stat.

S A T U R D A Y, M A Y 14, 1768.

THERE never was a time since the *glorious Revolution* when the affairs of this kingdom were in a more critical and alarming situation. I except not even the years 15 and 45. For the rebellions that happened at those two periods, were raised merely by a handful of uncivilized Highlanders, ignorant of the blessings of a free constitution, and infected with the principles of slavery and despotism; while the whole body of the people, with a very few exceptions, remained firmly attached to the present government as by law established. But now a spirit of incurable jealousy and discontent seems to have seized all ranks of men in the kingdom, from the first peers of the realm down to the meanest peasants; every man, at least every class of men, discovering a strong inclination to redress their own grievances, conscious, it would appear, that no redress is to be expected from the ministry.

THIS jealousy, it must be owned, is pointed not at the sovereign;—for we must ever remember, that, as the sovereign can do no wrong, so he can never be the object of his people's jealousy—but at those who have, for some time, been intrusted with

with the administration. These have, either through ignorance or design,—if through the latter, what punishment do they deserve?—brought our affairs at last to such a dangerous pass, that the most loyal subjects begin to be dissatisfied with the government, the most courageous to fear for their lives and property, and all men to be filled with the most dismal apprehensions of what may be the consequence of that strange mixture of licentiousness and tyranny, which at present prevails in the kingdom.

WHENCE this spirit of licentiousness hath arisen, it is not difficult to conjecture. The people have long seen their just complaints of the many hardships, under which they labour, treated with indifference, if not with contempt; while those, whose business it is to relieve these hardships, are rioting in sloth, luxury and debauchery, fattening themselves and their creatures and dependants with the spoils of their plundered country, and converting to the support of their *dogs and horses*, what ought to maintain *the widow and the orphan*.

THEY were, for instance, made to believe, at the beginning of the last summer, that, some time during the recess of parliament, the ministry would prepare a plan for reducing the high price of provisions: but, when the parliament assembled in the month of November, general Conway, at that time secretary of state, informed the commons, and through them the nation, that such a plan had, indeed, been prepared by Mr. Townsend, chancellor of the exchequer; but that that gentleman dying in the interim, the plan had died along with him: the meaning of which most evidently was, that the people had nothing to expect from the ministry, and that therefore they might apply for relief to any other quarter, where they thought they were most likely to obtain it. And is it to be wondered at, that the people should take so salutary an advice, and endeavour to redress, with their own hands, those grievances, which the ministry plainly told them they neither could nor would redress for them?

I WILL, however, take upon me to affirm, that the people would not have proceeded to the lengths they have done,—though, after all, they have frequently proceeded to much greater lengths,

lengths, with much less reason,—had it not been for the imprudent, shall I call it, or *treacherous* conduct of the ministry. I say *treacherous*; for it is well known, that there is in this kingdom, and, indeed, in this ministry, and in truth there has been in most of the numerous ministries we have had for these seven years past, a set of men, whose *hereditary principles or prejudices* will never suffer them to forgive the friends of the *Revolution*; and who will never be at rest, if they can possibly help it, till they have rendered the august family now upon the throne as odious as the one which preceded it; and till they subjected his present ——— to the same fate with the last of the Stuart line. I trust, however, in God, that their wicked schemes will be timely discovered, and effectually defeated; and that they themselves will be the only victims of their t——— and daring designs.

BUT whether it proceeded from *treachery* or *imprudence*, it was certainly owing to the conduct of the ministry, that the people were guilty of the few slight trespasses, which they have lately committed. The drawing out the military force in St. James's Park and St. George's-Fields, before there was so much as the shadow of a necessity, naturally excited, *not the fears*——as the ministry, no doubt fondly expected—but *the resentment* of the people; and made every man ask his neighbour, what could be the meaning of such a war-like preparation? Was it to secure the person of a man, who came to surrender himself voluntarily to the court of King's-Bench? The supposition is too absurd to be made, even by the most venal or stupid tools of the ministry. Was it to prevent the people from rescuing him, and to conduct him safe to the King's-Bench Prison, in case the court should pronounce such a sentence? But if this was their design, they did not put it in execution. The people actually did rescue him, though much against his inclination, and carried him into the city; and at last he was obliged to give them the slip, and to *escape disguised into the prison assigned him*.

WHAT then, in G—d's name, was the intention of this formidable *apparatus*? Was it to try the humour of the people, and to see how Englishmen would relish a military government? If

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it was, I will take the liberty of answering in the name of all the people of England, a few court sycophants excepted, that they never did, they never can, they never will, relish a military government; and that he who shall attempt to erect such a government in England, will involve himself, and all his adherents, in inevitable ruin.

A military government is the same with an arbitrary, a despotic government; such as that of France, of Turkey, and of many other governments in the world; of the cruel and tyrannical nature of which, the unhappy subjects, that groan under them, are but too fully sensible. One instance will serve my purpose. Lady M. W. Montague, in her letters, tells us, that happening one day, in travelling through Turkey, to come to a village, escorted, in quality of English ambassadresses, by a band of *janizaries*, she was asked by one of her *military* attendants, what she chose for supper. She could eat, she said, any thing.—Would she choose pigeons? As soon, she said, as any thing else. The *janizary* immediately repairs to the *Cadi* whose duty it was to furnish provisions for ambassadors and their retinue—for it is to be observed, that in Turkey all ambassadors and their retinue live at the charge of the Grand Signor—and asked for some pigeons. The *Cadi* tells him, that he has none. The *janizary* falls into a passion, and returning to lady Mary, tells her very gravely, that she could have no pigeons, but, if she had a mind, he would bring her the *Cadi's* head. Lady Mary replied, with a smile not unmixed with wonder and apprehension, that she was perfectly indifferent whether she had any pigeons or not; but that as to the *Cadi's* head, it could be of no use to her, and therefore earnestly begged, that it might not be brought to her: and thus the *Cadi's* head was saved, not through the mildness of the Turkish government, or the humanity of the *janizary*, but merely through the good-sense, not to say good-nature, of lady Mary. This, courteous reader! is a true picture of a *military government*; and now let any man, who has the least regard for liberty, lay his hand upon his heart, and say, how he would like to see such a government established

established in England. I know there is a set of wretches in this country—as indeed what country has not a set of such wretches?—who, in order to have the pleasure of tyrannizing over their inferiors, would willingly act the part of slaves to their superiors; but I hope that their numbers are but very inconsiderable, and that they will never be able, by all their artifice and intrigues, to accomplish their wicked and unconstitutional designs. I must confess, however, that the present state of affairs is such, as to afford them but too favourable and promising a prospect. I will not, indeed, say, as is said by some others, that we are already fairly brought under a military government; that, like the *French*, we have got our *Gendarmes*, and like the *Turks*, our *Janizaries*, to patrol the streets of London: but this I will say, that, if matters continue much longer in their present situation, we shall be in great danger of being brought under such a government; for if once the military force becomes necessary to the execution of the laws, they will soon think themselves necessary to the enacting of them: and then farewell, an eternal farewell, to the Liberties of England! This, indeed, ever has been, and ever will be, the manner in which all *military or despotic government* is established. It first comes in, under the specious appearance of aiding the civil power in the execution of the laws; and then, finding itself indispensably necessary for this purpose, it soon assumes into its own hands both the execution of the laws and the making of them. “It is,” as the celebrated Montesquieu says, “always slow and feeble in its commencement, as in the end it is lively and active: at first, it only stretches out a hand to assist, and it afterwards exerts a multitude of arms to oppress.”

WAVING, however, the farther prosecution of this subject, which, perhaps, I may consider more fully in some subsequent number, I shall just take the liberty of making a remark or two more upon the conduct of the ministry with regard to their late and present military preparations. And first I must observe, that I cannot sufficiently admire the prudence they have discovered in sending a *Scotch regiment*

ment† to quell the riots about the King's Bench prison. Was it in order to allay the animosities, which unhappily run already but too high between the two kingdoms? If it was, the means, it must be owned, are most admirably suited to the end. In plain language, if the ministry act from ignorance, they are the most blundering; if from design, they are the most treacherous set of ministers, with which this kingdom has been cursed for this century past and upwards. Some indeed alledge another reason, and say, that the ministry sent a Scotch regiment, because no English regiment would fire upon the people; and that some soldiers of the first and second regiments of guards are now under confinement for this act of disobedience to their officers. If this be true, I sincerely congratulate the public upon it, as it is a strong presumption, that if matters should ever come to extremity, which I pray God they never may, our English soldiers, at least a great part of our English soldiers, could never be persuaded to draw their swords against their countrymen.

† The third regiment of guards has ever been considered as a Scotch regiment, having generally, if not always, been commanded by Scotchmen; and it is said the present colonel holds it as duke of Edinburgh.

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T H E

N O R T H B R I T O N .

N U M B E R X L I X .

To be continued every *Saturday*. Price Two-pence Halfpenny.

Ceteri Omnes, strenui, boni, nobiles atque ignobiles, VULGUS sumus.
SALLUST.

S A T U R D A Y , M A Y 21 , 1768.

AS it is now become the *fashionable style*, at the court end of the town, to treat all those as *mob*, who presume to find fault with the conduct of the ministry, I shall beg leave to submit, to the consideration of the reader, the few following sentiments on the subject. And first, I must observe, that this has been the *common cant* of courtiers and their creatures, from time immemorial. This is the very language that was held by *Charles the First and his Cavaliers* at the commencement of the Civil War; and by *James the Second and his Popish Counsellors*, on the eve of the Revolution. All then were *mob*, that would not chime in with the designs of the court, and sacrifice their religion, their liberty, and property, to gratify the views of a tyrannical ministry.

I will not, indeed say, that there is any very general, much less an exact, resemblance between either of these periods, and the present conjuncture; but this I think I may take upon me to affirm, that there is an uncommon similitude in the particular just mentioned. Every wretch, that has any how been able, by acting
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the part of a *pimp* or *parasite*, by prostituting to his patron his *wife* or his *sister*, or by attending, as valet, upon a *Prime Minister's Mistress*——I say, any wretch, that has any how been able, by these *honourable means*, to obtain a place at court, looks down, with an air of the most supreme contempt, upon the man that has none, and indeed, wants, none: and I must own I was lately a good deal diverted, to hear a little fellow of this *honourable* class, possessed of a place of about two hundred a year, give the name of a *low-liv'd, low-bred mechanic*, to a citizen possessed of as many thousands. Is it not enough, that we must maintain these vermin, and allow them to revel on the spoils of their country? Must we, likewise, submit to the additional mortification of being insulted by the very persons who live at our charge?

THE ministry, however, will find themselves mistaken, if they think none but the *mob* are dissatisfied with their conduct. If, indeed, agreeable to the court stile, they comprehend under the title of *mob*, all but those who have places under the government, they may probably be in the right; but this would be such a division of the subjects, as I believe was never made before in any free country. For the account, when drawn out, will stand thus: all those who have places under the government, are *the people*; and all those who have no places under the government, are the *mob*: that is, there may be about *ten thousand people*, and *ten millions of mob* in this kingdom: a very pretty way of classing the subjects truly! These same ten millions of *mob*, however, must certainly be the most quiet, peaceable, and submissive set of mortals that ever existed, to allow the ten thousand *people* to live upon them at free quarters, and almost to devour their whole substance; and not only suffer themselves to be thus plundered and pillaged, but even to be insulted into the bargain. I very well know, that this is the case in *Turkey*, in *France*, in *Spain*, and perhaps in *another kingdom* that shall be *nameless*; but I hope never to be so unhappy as to live to see the day, when it shall be the case in *Great Britain*.

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I WOULD, moreover, take the liberty of whispering a secret in our ministers' ears, which, if they knew any thing of politicks, that is, of their own proper business, they would not need to be told of it, viz. that *mobs*, and perhaps even riots, are inseparable from all free governments; and if England yet be, as it once certainly was, and as I, *perhaps very foolishly*, imagine it still is, a free government, 'tis in vain to think of preventing all *mobs* in England. And if ever the time should come, which I devoutly pray God it never may, when no *mobs* are to be seen in England, we may then conclude, with a certainty almost equal to a mathematical demonstration, that our liberties are, from that moment, irretrievably ruined. There is nothing perfect under the sun. Every good is attended with some evil. *Mobs* are the evils that attend a free government. They are, as it were, the *excrescencies* that grow out of this *noble tree*; but let us take care, lest, in endeavouring to lop off the *excrescencies*, we destroy the trunk, out of which they spring.

I AM, for my own part, no friend to *mobs*, farther than as they are certain signs of a free constitution; and the want of them an infallible proof of an arbitrary government. *Mobs*, I know, are always dangerous; but I know that they are dangerous only in proportion to the despotism of the government. No *mobs* are to be seen in *Turkey*; because there, almost always, *mobs* are attended with a revolution in the state. Our ministers, 'tis true, for these seven years past, have been labouring, and unhappily but with too much success, to render the government as odious as possible; but, I hope, they have not yet rendered it so completely odious, as to create any danger of a *mob* being attended with the like effect in England. If they have, 'tis high time they were removed from their places; and that these were filled with more able and patriotic statesmen.

I HAVE just said, that I am no friend to *mobs*; but I must frankly confess, that I am still less a friend to *armies*; and I would much rather wish to see *ten laws* broken by the *mob*, than *one law* carried into execution by the *military power*. The former
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is an evil which will easily cure itself: the latter is an evil which, if once become inveterate, can never be cured: the former is only the temporary ebullition of a free spirit; the latter is the last and most violent effort of an arbitrary government.

'Tis always a sure sign of a *sickly* state, when the law cannot be executed without a military force: 'tis a proof that the people are not satisfied of the equity of the law, or of the lenity of those who are intrusted with its execution. But that our own state is in a *very sickly and distempered condition*, he must certainly be involved in tenfold darkness, that does not clearly discern. The truth is, our *state-physicians* have *bled*, and *purged*, and *blistered* the *body-politic* to such a degree, that it is now reduced to a *mere Skeleton*; and, like a strong man *in the agonies of death*, it is just beginning to give some *convulsive throws*, the consequences of which are as yet uncertain; though this much may be conjectured with great probability, that *the patient* must either destroy *the physicians*, or *the physicians* will, in the end, destroy *the patient*. Nor seems there to be any way of avoiding this alternative, but by calling in the assistance of *some others of the faculty*; but even this expedient will be of very little avail, unless *these new doctors* prescribe a *different regimen*, and, instead of *causticks*, *catharticks*, and *corrosives*, apply the most gentle and effectual *alteratives*. To speak without a metaphor, the people are so cruelly harrassed and oppressed with the number and weight of the taxes, that they are not able, with their utmost industry, to procure the means of daily subsistence; and conscious, as they are, that the fruits of their labour are seized and devoured by insatiable *State-Vultures*, they think it more eligible to run the risk of being hanged, or even *shot*, than that of being starved, which, of all kinds of death, is the most painful and excruciating.

To do the people justice, however, they are, by no means, so unreasonable, as some would represent them. They very well know, that they are *the property* of their *Masters*, who may no
doubt

doubt dispose of them according to their good pleasure; but they would humbly request of these same *masters*, if not from a regard to their welfare, at least from a regard to their own interest, not to be so very forward to eat up their *own property*; because, if once *that property* should be entirely eat up, the *masters* themselves may be in danger of starving. They would just beg leave to remind them of the folly of him, who *cut up the hen* that laid him the *golden eggs*; and would earnestly recommend it to their serious consideration, whether, if *all sheep and hens* were destroyed, *wolves and foxes* would not perish with hunger. In good earnest, let our ministers, if they please (for they have, it seems, no other rule of action than their own sovereign pleasure) suck up the blood and substance of the people; but let them, if they are wise, leave these same people just as much strength as may enable them to procure a fresh supply of substance for the use of their *lordly masters*.

I can, therefore, by no means, approve of the order, that is said to have been lately issued out from above, commanding the military force to knock his Majesty's liege subjects on the head; and I think he that issued out such an order, discovered as little wisdom as the man, who endeavoured to *increase the quantity of his honey by lessening the number of his bees*. And much less can I approve of the letter of thanks, which the Secretary at War has wrote to the commanding officer, and in which he assures him, though I hope with *equal impudence and falsehood*, that his ——— *highly approves* of the conduct of the soldiers. I hope, I say, that this assertion of the Secretary at War is *equally false and impudent*: for is it to be supposed, that the father of his people can *highly approve* of the conduct of the soldiers in MURDERING his liege subjects? If to endeavour to render the person of the Sovereign *odious* to his people be a *criminal attempt*, in what light shall we view this conduct of the Secretary at War?

As to the MURDER that has been committed—for it seems, that, though *many persons* have been *killed*, there has been but *one MURDER* committed—I say, as to this MURDER, little need be said: the thing speaks for itself. I will only observe, that, if the circumstances of the fact—for I would not presume to prejudge a cause which is soon to be tried in a court of justice—I say, if the circumstances of the fact be such as they have been represented to the public, I
hope

hope no *English jury* will be so lost to all sense of justice, of equity, and humanity, as not to bring in the culprit *guilty*; and if he is brought in *guilty*, I hope no *English* —, notwithstanding the *strong insinuations*, or, rather, *assurances* of the Secretary at War, will be so ill advised as to grant him a pardon.

I own, indeed, that many people are of a different way of thinking. I was lately talking with a *Scotchman* on the subject; and he very freely gave it as his opinion, that the soldier, if condemned by all the juries in England, would certainly obtain a pardon; and that if he did obtain a pardon, it would as certainly be valid; and he doubted not but in six months hence he might walk in peace through the streets of *London*. I only replied, that the English would then be of a very different spirit from his *countrymen*; and mentioned to him, in particular, the affair of *Porteous*, who, in 1736, was fairly hanged by the citizens, or, if you will, the *mob* of Edinburgh, after having obtained a *reprieve* from the Queen, at that time regent of the kingdom. I likewise took notice of the case of one *Buchanan*, a *Scottish sailor*, who, in 1738, being condemned for murdering an Englishman, and actually hung up on the gallows at Execution-Dock, was, in spite of all the efforts of the soldiers who attended the execution, cut down by his countrymen, who carried him off in triumph, and afterwards brought him to life; and the man, I am informed, is now, or was very lately, alive in the *West-Indies**. With regard to the other persons, who have lost their lives on this melancholy occasion, and whose cases have been declared to be Accidental Death, or Chance-Medley, it may nevertheless be remarked, that the loss is not the less severe to their friends and relations, or the public in general; and, if Fame says true, it was entirely owing to the humanity of the soldiers, not to the lenity of those who issued the orders from above, that the slaughter was not more bloody and more universal.

* These two actions, which, at the time they were performed, were looked upon as very gallant, gave occasion to a certain wag to say of the Scots, *That whom they would they saved, and whom they would they destroyed.*

T H E

N O R T H B R I T O N .

N U M B E R L .

To be continued every *Saturday*. Price Two-pence Halfpenny.

S A T U R D A Y , M A Y 28 , 1768 .

THE following letter has been sent to me by one of my correspondents ; and, as the subject of it is particularly adapted to the present critical juncture, I have thought proper immediately to lay it before the public.

To the Right Honourable William Lord Mansfield, Lord Chief-Justice of the Court of King's Bench, and one of his Majesty's Most Honourable Privy Council.

Tu, quid ego & populus mecum desideret, audi.

HOR.

MY LORD,

IT is commonly observed, and, I believe, with great justice, that truth is seldom suffered to approach the ear of kings. Surrounded, as they perpetually are, with crowds of flatterers, whose study it is to keep them in a profound ignorance of the state of their affairs, they are never permitted to see with their own eyes, but must always see with the eyes of others ; and thus viewing every thing through a *false medium*, they are naturally, and almost necessarily, led to embrace councils, and pursue measures, inconsistent with their own interest, and with the interest of their subjects. The same observation, my lord, will hold true, though in a less degree, of all men in an exalted station ; for, mixing very little with the body of the people, they

can never be thoroughly acquainted with their real sentiments, but are apt to mistake, for the voice of the public, the partial representations of their creatures and dependants.

To this cause, my lord, and to this alone, can be ascribed your late conduct towards Mr. Wilkes; for had you been fully apprized of the present ill-humour of the people—owing, it is true, to a variety of other reasons—your lordship, I am confident, could never have taken a step, that was likely to set this ill-humour in motion, to the great disturbance of the public peace, and at the manifest hazard of overturning the constitution. I say, my lord, at the manifest hazard of overturning the constitution; for, if once matters are brought to such a pass, that the law cannot be executed without a military force, the constitution of England is overturned from its foundation. How far that was the case on a late memorable occasion, or how far it is likely to be the case on some not very distant similar occasion, I leave your lordship to determine. But the danger that is past might easily have been prevented, and that which still threatens us, may as easily be prevented, by your lordship's mild and moderate conduct.

Had you treated Mr. Wilkes with that lenity and indulgence, which the law authorizes, and which the circumstances of the time render indispensably necessary, the ministry would not have had even the slightest pretext—and, after all, they had nothing but a pretext—for drawing out the military force, to assist the civil power in the execution of the laws; and if you treat him, for the future, with such lenity and indulgence, you will effectually deprive them of all plea for making, at least in the prosecution of this affair, a fresh attack upon the lives and liberties of their fellow-subjects. But, my lord, not only have you not treated Mr. Wilkes with lenity and indulgence; 'tis the general opinion, that you have treated him even with the rigour of the law, which your lordship knows, in many cases, though I will not say in this, is the greatest injustice, agreeable to the old adage, *summum jus, summa injuria*.

As to the *alteration*, which your lordship ordered to be made in the *record*, Mr. Wilkes has already told you, in open court, that it is *unconstitutional*; that he is advised it is *illegal*; and that *neither of the two verdicts* could have been found against him, if *such alteration* had not taken place. I will not, my lord, enter into any discussion of these nice points of law, for which I must confess myself to be altogether unqualified. I will only observe, that this was acting a part very inconsistent with what has always been supposed to be *the duty of a judge*, viz. that he should act

as *counsel* for the *defendant*. Was not this, my lord, rather acting as *counsel* for the *prosecutor*? I have, I think, heard of a man saving his life by a *misnomer*; but, for the future, I suppose, if your lordship can help it, no man shall save himself from death, or from any other punishment the law can inflict, by any *informality* in the proceedings against him.

I know, my lord, that all possible respect is due to the person of a *judge*, while he behaves in a manner becoming his character: but I know at the same time, that there is an express law, which says, “that if a *judge* will so far forget the dignity and “honour of his post, as to turn *solicitor* in a cause which he is to “*judge*, he may be dealt with according to the capacity, to “which he so basely degrades himself.” * As to your asking Mr. Wilkes’s *solicitor* what *objections* he had to the alteration of the record, and yet telling him that you did not ask his *consent*, it is really something lower than *farcical*; it is plainly a *distinction without a difference*; and is, in truth, such a *quibble*, as I should little have expected from a man of your lordship’s understanding.

With respect to your refusing to admit Mr. Wilkes to bail, it cannot be denied, that your lordship is possessed of a discretionary power in this particular; but then it may be observed, that a wise man would exercise every discretionary power, with a due regard to the principles of equity, and the sentiments of the people. But has your lordship shewn a proper regard to either of these considerations, in admitting to bail a *nobleman* for a *rape*, and an *officer* and a *soldier* for *murder*, and yet refusing the same favour to a man, who is said to have wrote a libel against the ministry? Are *rapes* and *murders*, my lord, crimes less odious in themselves, or less pernicious to society, than *libels*?

But perhaps you will tell me, that the *rape* was committed only upon a *little milliner*, and the *murder* upon a *common citizen*; whereas the *libel* was supposed to be secretly aimed at no less a personage than the *great earl of Bute*; and that the enormity of all crimes is to be determined, not by their own intrinsic nature, or their dangerous influence upon society, but by the dignity of the person against whom they were committed. I know, my lord, that this is the spirit of the laws of *Japan*; but I believe it never was, and I hope it never will be, the spirit of the laws of *England*. Perhaps, too, you will alledge, and, indeed, it is said you have already publicly alledged, that you cannot admit Mr. Wilkes to bail without the *consent* of the *prosecutor*, the *Attorney-general*. I should be glad, then, to know, whether you

* 12 Rep. 24. Vaug. 138. S. P. C. 173.

had

had Miss *Woodcock's* consent to admit *lord Baltimore* to bail, or Mr. *Allen's* consent to bail Mr. *Murray* and *M'Lauchlan*.

But, my lord, the great cause of complaint against you, with regard to your conduct towards Mr. Wilkes is, your delaying to pronounce judgement upon him, and subjecting him, in the mean time, to a cruel and arbitrary imprisonment. How long it is in your lordship's power to pursue this method, and to *punish a man before judgement is passed upon him*, I am not, for my own part, sufficiently skilled in the law to determine. I only know, that there are several laws which say, *that after verdict given in any court of record at Westminster, judgement shall not be stayed for want of form in a writ, count, plaint, &c.* * But how far these laws are applicable to the present case, I will not take upon me to affirm. If, indeed, it be true, as is commonly reported, that your lordship need not, or can not, pass judgement upon Mr. *Wilkes*, until you are requested to do so by the *Attorney-general*; and that the *Attorney-general*, if he pleases, need never make such a request; and that, therefore, it is in the power of *your lordship*, and the *Attorney-general*, to imprison Mr. *Wilkes* for *any indeterminate time*, or, in truth, *for ever*, without passing judgement upon him: if all this, my lord, be true, I will not say, that your lordship has usurped a power which the law has not allowed you; but this I will say, that if the law has allowed you such a power, it allows you a power which it has not allowed to the king, or to either or both houses of parliament, and which, indeed, it ought not to allow to any man, or to any body of men, in a free government. The *Habeas Corpus* act has effectually secured us against all *arbitrary imprisonments* from the crown; and though the two houses of parliament pretend to a power of dispensing with this act, yet do *their imprisonments* cease immediately upon the rising of the session. So that, if the report above-mentioned be well founded, your lordship and the *Attorney-general* are possessed of a power superior to any that is enjoyed by the King and the two houses of parliament. But this conclusion is so absurd, that I am strongly inclined to suspect the premisses; and, in truth, the whole is such a bundle of inconsistencies, that I am almost ashamed to have mentioned it.

I will only farther observe on this head, that this *ante-judicial imprisonment* (as it may be called) is particularly hard in Mr. Wilkes's case. I acknowledge, indeed, that where a man has

* 18 Eliz. c. 14. 21 Jac. I. c. 13. 16 & 17 Car. II. c. 8. 5 Geo. I. c. 13.

been guilty of a crime, which subjects him to a severer punishment than that of *imprisonment*, a little confinement, before he receives sentence, can be no great hardship. But, where the only crime, which a man has committed, is such—and this is, surely, the case with Mr. Wilkes—that the severest part of the punishment, which the law can inflict upon him, is simple *imprisonment*, to subject him to this *imprisonment*, before he receives sentence, is something more than a hardship: it is, in effect, little better than a contradiction: it is punishing a man, and, at the same time, pretending, that you have not yet resolved upon what kind of *punishment* he shall suffer.

So much, my lord, for the conduct you have already observed towards Mr. Wilkes: I come now to inform you, what conduct the public expects you should observe towards him for the future. I say, my lord, the public: for though it is certain, that justice should be done, and the laws executed without respect of persons: yet, it is no less certain, that justice should be done, and the laws executed, with the strictest regard to the spirit of the times, and the humour of the people. And I, my lord, must take the liberty of acquainting you, that the humour of the people is at present such, that they will not patiently see the rigour of the law exercised against Mr. Wilkes; much less the law stretched and wrested to make him feel the weight of ministerial vengeance.

The people, my lord, are at present in a very bad humour; and their bad humour arises from a variety of causes. To enumerate these, would be almost offering an insult to the understanding of the reader. They are so plain and obvious, that he that runs may read. To see *their ministers*, that is, *their servants*, wallowing in wealth and luxury, and rioting on the spoils of their plundered country, while themselves are reduced to a state of absolute famine, is a condition so intolerable, as would provoke the resentment of the most meek-spirited men that ever breathed. Job himself, I believe, in such a situation, would have lost his *patience*. It is a mistake, my lord, to think, that the ill-humour of the people is entirely owing to the rigorous measures that have been pursued against Mr. Wilkes. The people, it is true, are deeply interested in the affair of Mr. Wilkes, which they justly consider as the cause of liberty; but the affair of Mr. Wilkes has not given rise, it has only given vent to the ill-humour of the people, which had long before been collected, and was almost come to a head. And as the affair of Mr. Wilkes has already given vent to the ill-humour of the people, it will, I am persuaded, give still farther vent to it, unless your lordship take care to manage that affair with a very delicate hand.

I will

I will, indeed allow, that it is in your lordship's power to exert against *Mr. Wilkes* the utmost rigour of the law; but then I will, at the same time, take upon me to affirm, that it is not in your power to exert such rigour against him, without the aid of a military force: and this is such an expedient, as I hope your lordship will never be induced to employ. It is an expedient, my lord, of a most fatal tendency, big with danger to the liberties of your country, and in the end may be productive of their utter ruin. The ministry, my lord, you must plainly have perceived by their late arbitrary conduct, want nothing but a pretext for drawing out afresh the military force, conscious, as they are, that having lost, by their treachery, the confidence of the public, they have no other chance of keeping their places, than by *dragooning* the people into a compliance with their measures. But I hope that your lordship will effectually disappoint them, and will furnish them with no such pretext for the future; and that no sentence will be pronounced against *Mr. Wilkes*, but such as may be quietly and peaceably executed by the mere exertion of the civil power.

The eyes, my lord, of a whole nation are fixed upon you, as the only man that can *save or destroy our free constitution*. By pursuing gentle measures you will effect the first; by pursuing rigorous measures you will effect the last. By the former you will secure to us *our laws and our liberties*; by the latter you will subject us to a *military government*. By the former you will recommend yourself to the love and esteem of all your fellow-citizens, except some venal courtiers: by the latter you will draw upon you the curses and execrations of all your fellow-subjects, the same *worthy* courtiers excepted.

Let me, therefore, beseech you, by the regard, which you have to your own peace; by the value, which you set upon your own reputation; by the compassion, which you feel for the present age, and for that which is to succeed to it: as you would wish to merit the compliment which *Pope* pays you, of being ranked, after death, with the *Tullies* and the *Hydes*, and, what is yet more, with the *Gascoignes*, the *Holts*, and the *Talbots*: in a word, let me conjure you, by every motive that can work upon your justice, your honour, and humanity, to pass, upon the present occasion, such a moderate judgement, as is most consistent with our free constitution, and our limited monarchy.

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The EXPOSTULATION, a POEM. With Notes.

THE
NORTH BRITON.

N U M B E R L I.

To be continued every *Saturday*. Price Two-pence Halfpenny.

THURSDAY, JUNE 9, 1768.

ON Friday last his Majesty's Attorney-general moved the court of King's Bench, for a rule that Mr. Bingley might shew cause why an attachment should not be issued against him, for publishing the North Briton, No. 50. On Tuesday Mr. Bingley went up for that purpose. Mr. Attorney-general then moved for the attachment, when Mr. Bingley desired he might be permitted to speak for himself. Lord Mansfield asked who was his counsel. Mr. Bingley answered, that he had none; that he had, indeed, applied to counsel, who had declined undertaking his defence; Mr. Bingley, therefore, hoped, he might shew cause himself. Judge Aston interrupted him, and declared he would not hear him, unless what he had to say was first examined by counsel; and added, that he had no right, in that court, to speak for himself. Lord Mansfield then said, that the gentlemen of the bar might, if they pleased, decline any cause they did not approve.

By lord Mansfield's declaration Mr. Bingley was left without counsel to plead for him; and, by Mr. Aston's declaration, he was not permitted to plead for himself. Lord Mansfield went farther; he recommended to the other bookfellers who were
attached

attached for selling the North Briton, No. 50. to prosecute hereafter the original publisher, for all the damages they may suffer from the court of King's Bench: a most unheard-of step, for a judge to recommend a prosecution to persons who could not possibly think of such a thing as was never yet attempted in this kingdom. But this would answer, very well, the purpose of lord Mansfield; because, as he is restrained by the laws from laying an exorbitant fine, by this new invention of his own he may do in effect what the laws forbid him to do by his sentence; for, by taking up a great number of the trade, and putting them, by this oppressive method of attachment, to enormous expences, and then, by advising each of them to bring prosecutions against the original publisher, lord Mansfield may, at any time, lay what fines he pleases on any publisher who shall incur his displeasure.

It is enough that Mr. Bingley must be punished by the court without the permission of a defence; but he will not consent to lose his character with the publick, without attempting his justification.

The following defence was intended to have been made by Mr. Bingley, in the court of King's-Bench, on Tuesday last.

MY LORDS,

I FIND myself reduced to the melancholy necessity of pleading for myself in this court: and I am reduced to this by the influence (I suppose) of that speech, or rather *charge*, which lord Mansfield delivered last Friday from the bench, when a motion was made for a rule against me.

After this speech, my Lords, whom can I expect to undertake my defence? and, if undertaken, how would it be supported?

I must, therefore, defend myself, and I hope that privilege will not be taken from me also. I will do it on the firm ground of truth: with law, my lords, I am little acquainted.

First,

First, then, my Lords, I must declare, that, to the North Briton, No. 50. no contempt of this honourable court can be imputed; the court has not been mentioned, nor even alluded to; its justice has never been arraigned. Lord Mansfield's name alone is mentioned in that paper: the charges brought against him are founded in *fact*, and confirmed by his own words. He has acknowledged from the bench the alteration of the records; and the strongest accusation against him is the defence, which he has twice attempted, of his own conduct. He talks of precedents. My Lords, the precedents are not similar, they are not warranted by law; but were first introduced by a very bold and violent judge, whose authority it is not honourable to any other to follow. But this plea of precedent comes with a very bad grace from his Lordship, who is well known to have set his face against precedents, when they did not serve his purpose, and to have repeatedly declared, whenever they have been urged, that he would make a new one.

What chance has any one, who incurs the displeasure of such a judge, who thinks precedents sufficient to justify his own illegal conduct, which are not sufficient to justify any one else? and what precedent will his lordship find, to warrant this unlawful and cruel prosecution of me by attachment?

His lordship acknowledged he had never altered a record, before that in the case of Mr. Wilkes. How came he to do it then? who suggested it to him then? the record is always sealed first, before it is carried to the judge. His lordship, I am informed, broke open that seal, found out the flaw, directed the prosecutor to apply for an alteration, and then altered it without the consent of the defendant. Lord Mansfield says he did not want that consent. It is very extraordinary, that, for the alteration of a record, on which depends the defendant's safety, no consent should be necessary; and yet, that to admit the defendant to bail, it is necessary to have the consent of the prosecutor, who must be supposed both partial and hostile.

The

The admitting any one to bail by the discretionary power of the court, must be in the discretion of the court alone, and not dependant on the prosecutor's consent, otherwise it is no longer the discretion of the court.

Lord Mansfield declared he made the alteration without considering what consequence it might be of in the cause. What can any of his Lordship's enemies say stronger against him?

Lord Mansfield declared he did not know the difference between tenour and purport; which would be strange indeed, if true. But his Lordship immediately after contradicts himself, by saying, that he imagined the alteration to be beneficial to the defendant; for that, by the alteration, the prosecutor obliged himself to prove more than he had before; for that before he had only obliged himself to prove the meaning and tendency of the paper; and, by the alteration, he was obliged to prove the very literal part of the charge. This part of his Lordship's defence plainly contradicts the other. For he first ~~says he did not know the difference between the word purport~~ and tenour; and then immediately explains wherein the difference consists.

But his Lordship's pretence of a benefit thereby to the defendant, is too gross to pass on any man in this court or kingdom; every one can shew his Lordship the contrary, as easily as they can answer his Lordship's farther question, of, what prejudice resulted to Mr. Wilkes from the alteration?

The following is the true state of the case. The original words of the record were too vague to have convicted Mr. Wilkes. It was necessary to be more precise. If the alteration had not been made, the indictment must have been quashed.

And this would have caused such a delay in the proceeding against Mr. Wilkes, that lord Halifax would have been obliged to appear, to be convicted for the general warrant, and to pay the consequent damages. To prevent this was the true motive of lord Mansfield's alteration, and it had its effect. Lord Halifax escaped by that alteration, and by that alone.

And

And this interruption and delay is doubly injurious in a personal action, like this against lord Halifax; because the defendant may die, (as lord Egremont did) and then the party injured can have no redress. Lord Mansfield says, that if he was mistaken in altering the record then, he has likewise been mistaken since; for he has done it in other cases. Yes, every one can see why his lordship has done it since. He has done it since, that it might not be said Mr. Wilkes's was the only case in which he ever altered a record.

In the North Briton, No. 50, lord Mansfield alone is charged with not having treated Mr. Wilkes with lenity; but with having exerted the rigour of the law against him. This charge is founded on a variety of grounds, but particularly on his late proceedings, and on his delay of justice in the reversal of his outlawry. When Mr. Wilkes appeared before this court, lord Mansfield three times put the Attorney-general in mind, that he might choose what prison he pleased.——When a *fiat* motion was made for a rule by Mr. Wilkes's solicitor, to bring up Mr. Wilkes to the King's-Bench, lord Mansfield refused a rule, and ordered the solicitor to move it in court——a thing never heard of before——and by that means left his counsel, the alternative of either delaying the argument on his outlawry, or to argue it in Mr. Wilkes's absence. The counsel knowing well his Lordship's intention of delay, chose the latter, and argued it in his absence.

When the counsel for the crown and for Mr. Wilkes had each of them left the argument, lord Mansfield invited Mr. Wilkes's other counsel to argue. They severally refused it, and declared they would rest their client's defence on what serjeant Glyn had advanced. Lord Mansfield then mentioned other ground of argument, and himself put into the mouth of the prosecutor to argue it, *ex parte*. The council for the crown took his Lordship's hint; and Sir Fletcher Norton, in particular, then said, he would argue it *ex parte*. This trick of his Lordship was only intended for delay; for his lordship well knows it is the duty of a judge to take notice of publick acts, though they are not pleaded; and, therefore, the court might have come to a determination, as well upon what was pleaded, as upon what was not pleaded, if there was any statute or reason stronger than what had been produced; but an upright judge of this court, Mr.
justice

justice Willes, has already declared that no stronger can be produced.

Lord Mansfield is accused, in the North Briton, No. 50, of partiality, in admitting the murderers to bail; the reason of such partiality is given; and they are both equally true.

It is asserted in the North Briton, No. 50, that the Habeas Corpus cannot be eluded by the King or the Houses of Parliament; and that, if courts of justice can elude it, they have a power superior to theirs. It is well known to be true; and to be no less so, that the courts of justice have, for a long time, connived at each others abuse of the Habeas Corpus act; and that, contrary to the spirit and letter of it, they refuse relief from that act to any person committed by the courts.

Lord Mansfield mentioned it as an aggravation of my offence, that I had put my name to this publication. My Lords, it proceeded from the thorough knowledge of the truth of the paper in question. I have heard indeed that it is a favourite position of lord Mansfield, that truth itself may be a scandalous libel, and the more a libel because true. I am not lawyer enough, my Lords, to know that; but this I am sure of, that it is most scandalous indeed for those on whom truth is a libel.

However, my Lords, whatever my offence may be, I desire to have it determined by a jury of my *own* countrymen. The favourite and glorious appeal of Englishmen is—to God and to their Country. To them I stand or fall. I shall refuse to answer any questions by way of interrogatories on attachment. There can be no pretext for denying me a trial by jury. The way of attachment is a Star-chamber process; to which I will not submit: it is unlawful; it is unprecedented in such a case.

My Lords, I am an Englishman, and I demand, as my right, a trial by jury.

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T H E

N O R T H B R I T O N .

N U M B E R LII.

To be continued. Price Two-pence Halfpenny.

CEDAT ARMIS TOGA; CONCEDAT LAUREÆ LINGUA.

M O N D A Y , J U N E 13, 1768.

To the N O R T H B R I T O N .

S I R,

Notwithstanding the great clamour you have of late, either ignorantly or maliciously, raised about the danger attending a *military government*, I will take upon me to affirm, that we shall never be happy until we are brought under *such a government*; and that, when once we actually are so, we shall be much happier than ever we were in any former period, and indeed than we are at present: for I can, by no means, admit, what is asserted by some other writers, and is more than insinuated by yourself, that we are already fairly reduced under *such a government*. And, in support, Sir, of this my opinion, allow me to point out a few of the *many advantages* accruing from this *blessed kind of government*; for, to enumerate them all would greatly exceed the limits of your paper, and indeed the utmost compass of my weak abilities. This, I own, is a task for which I am no more qualified than *Æneas* was (*pardon the impropriety of the comparison*) for summing up all the different species of *crimes* and *punishments* which he saw in *hell*.

*Non, mihi si linguæ centum sint, oraque centum.
Ferrea vox*

No, Sir, I could never do it,

*Had I a hundred mouths, a hundred tongues,
A voice of brass, and adamantine lungs.*

And the *first advantage* I would beg leave to mention, as arising from a *military government*, is, that, when once such a government

government is established in England, which I confidently expect will be very soon, we shall no longer hear of the public peace being disturbed by riotous mobs and assemblies. No longer shall a *patriotic Lord-Mayor* be exposed to the cruel mortification of being hissed and hooted, and having the lamps of his mansion-house demolished, *for only doing his duty*; that is, for supporting the *absolute, supreme, and uncontrouled* power of the *crown* in opposition to the voice of the *people*, that is, of the *rabble* or *canaille*; for then—and indeed this is nearly the case already—all will be *rabble* or *canaille* but courtiers and their dependants. No more shall the *factious freeholders* of the county of *Middlesex* presume to assemble with such noise and tumult, and to chuse, as they lately did, for one of their representatives, a man, whom, if they had had either the *fear* of *G—d*, or of the *ministry*, or, what is yet more, of a *military government*, *before their eyes*, they would never so much as dared to have thought of. No longer shall the people be permitted to gather in crouds about the *King's-Bench prison*, and to set up the *treasonable huzza* of *Wilkes and Liberty*, a *huzza* of more dreadful note, and more dangerous import, than any that was ever uttered in the *Highlands of Scotland* during the rebellions of 15 and 45. Or, if any such *mobs* should be so presumptuous as to assemble, they may be as easily quelled as the *bees* in *Virgil*:

*Hi motus animorum, atque hæc certamina tanta,
Pulveris NITRATI jactu compressa quiescent :*

That is, let *mobs* be ever so numerous and riotous, they may easily be dispersed by a *volley of small arms* from the *military*, and made to return to their several occupations: and if a few of the *blackguards* should be killed in the scuffle, 'tis no great harm: 'twill rather be an advantage: 'twill enable the survivors, by *diminishing their numbers*, to procure an *increase of their wages*, without troubling the *parliament* about matters so very trifling.

I can only think of one objection to this kind of reasoning, and it is, that, as it may be necessary for some time, even after the *establishment of a military government*, to keep up the *appearance of a parliament*—and the *appearance*, in truth, will be all that will be requisite—and as the elections of members of parliament are usually attended with *mobs and riots*; and as there is an express law which prohibits *the military* from interfering, in the least, with these elections; the ministry, perhaps, may be reduced to a dilemma how to act in such a critical situation. But I believe I can suggest to them a very easy expedient. Let the *prohibitory law* be immediately repealed; and let the *military* attend, to preserve the peace and *freedom* of the *election*. Or rather indeed, which would be greatly preferable, let the *old, tumultuous, and republican* manner of *electing* be entirely laid aside; and let a *new method*, more agreeable to the *new form of government*, be entirely adopted in its room. Let the electors, instead of assembling in the same place, to *excite riots*, and *surfeit themselves* with

with wine and venison, remain, every one of them, at their several habitations; and let the *soldiers*—but by all means *armed*, in order to preserve the *freedom of election*—go about among the *electors*, and collect their votes. These let them deliver to the *sheriffs*, that is, to their *captains*; and let the *captains*, in their turn, transmit them to the *chancellor*, or—which I believe will then be the same thing—to the *commander in chief of the army*.

Thus shall we have a parliament, perfectly agreeable to the wishes of the ministry, and, of consequence, to the interest of the people; for these two, 'tis well known, ever were and ever will be the same. The people, like *wayward children*, must be soothed and cajoled into their own interest, or, like *restive mules*, must be *cudgelled* into it; and provided they are led into it, 'tis of little consequence, whether the means employed be gentle or severe. By this method all bribery, venality, and corruption will be effectually prevented, as it is not likely, that a *soldier with his firelock* will be apt to give an elector any thing for his vote, except a *brace of bullets*, if he should chuse such a *douceur*; and many a worthy freeholder will be saved the trouble of travelling thirty, perhaps forty miles, to the place of polling, for no other purpose than there to run the risk of *losing his life by a surfeit*. And if any of the candidates should at any time happen to be *overstocked* with provisions, which, perhaps ignorant of this new method of election, they may have laid in for the occasion, *the military*, who have always been noted for *their politeness*, will, I dare say, have the *good-manners* to ease them entirely of such useless *incumbrances*. Nor let any one condemn this scheme as chimerical and absurd; for 'tis an exact copy of that which was adopted by *Oliver Cromwell*, for the levying of his taxes, when he divided the whole kingdom into ten *major-generalships*, allowing to his officers and soldiers, full power, to imprison, or knock on the head, every man, that refused to comply with his arbitrary impositions *. And why the same method may not be employed to collect *votes* as to collect *taxes*, I cannot, for my own part, sufficiently comprehend.

Another *advantage* attending a *military government* is, that it is admirably calculated for *encouraging propagation*, and *increasing the number of the people*; nor can I, indeed, assign any other plausible reason for the superior populousness of France above Great-Britain, but the superior number of *unmarried priests* and *unmarried soldiers* in the former of these kingdoms, beyond what is to be found in the latter. France, according to the most exact computation, exceeds Great-Britain and Ireland, in extent, only by about one fourteenth; and yet it is said to contain double, nay, some say, treble the number of inhabitants. To what, then, shall we ascribe this *mighty difference*? To what, but to the very cause, to which I have just now ascribed it. Let the French, in G—d's name, keep their *unmarried priests*; and much *comfort*—I mean much *spiritual comfort*—may their *ladies* derive from

* Thurloe, Vol. IV. p. 88.

them.

them. I hope we shall never follow their example in this particular. I hope we shall never think, as our forefathers did, of depriving our clergy of their wives, or, as the Romish priests *politely* call them, their *wb——s*. But as to their *unmarried soldiers*, I trust the time is not at any great distance, when we shall be quite upon a par with them in that essential point. The French army, I believe, does not now amount to above 90,000 men. Our own army, I am sure, falls not greatly short of 47,000; and could we once add, as I hope we very soon shall, 47,000 more, then let the *Monsieurs* look to the consequence. They will no longer, I presume, have much reason to boast of their great superiority in point of numbers. Our *English soldiers*, I am satisfied, are as *good men, in every respect*, as the *French*. They have frequently proved themselves *superior* in the *camp of Mars*; and, I hope they will never prove *inferior* in the *camp of V——*.

But how, it may be asked, can *propagation be encouraged*, and the *number of people increased*, by maintaining a body of *unmarried soldiers*? Would not such a scheme be more likely to *check propagation*, by keeping so many men in a state of *celibacy*? Such, indeed, it is more than probable, will be the conclusion drawn by your *shallow politicians*, who can never stretch their views beyond the first and most obvious consequences: but I, Sir, who pretend, and I hope with some justice, to be a *Machiavel* in *politics*, will undertake to prove, that a *large army of unmarried soldiers* is one of the best and most rational plans that ever was contrived for *promoting population*, and ENCOURAGING, in the *jockey-phrasé*, THE BREED OF THE HUMAN SPECIES.

For consider, Sir, in the first place, how many *marriages* are *unproductive of children*; how many *barren wives* there are in the kingdom: and yet it may be laid down as a certain fact, that *every woman*, at least *almost every woman*, would be a *mother*, could she be but indulged with a *proper mate*. Now, Sir, here are ninety or a hundred thousand *mates* at her service; and the devil's in't if in such a number she cannot find a *proper one*: for I am fully persuaded there is ne'er a man in the army, from the commander in chief down to the meanest centinel, that will not be ready to *serve the ladies* on this occasion, *from a principle of pure disinterested patriotism*.

This, Sir, will be a more effectual *Remedy for barrenness in women*, than any that has been invented by Rock, Becket, Hill, or by any other quack that ever existed since the creation of the world. I except not even the *matrimonial recipe* of the great *Mrs. Gibson*, who daily informs us in the public papers, “that it causes
“*immediate conception*, as has been experienced, *with amazing*
“*success*, by ladies, who have been married many years without
“*having children*.” “*Ladies*,” she adds, “who have tried all
“*the slops* which have been offered for this purpose, but with-
“*out effect*, by using this *blessed medicine* have become *happy*
“*mothers*.” Now, begging *Mrs. Gibson's* pardon, I will venture to affirm, that *my medicine*, or, if she will, *slop*, is a more efficacious

cious and *blest* medicine than *hers*; and will, if properly administered, be the cause of many more ladies becoming happy mothers. If any lady doubt, let her try the experiment. And what tends still farther to demonstrate the superior excellence of *my medicine* above *that of Mrs. Gibson*, is, that whereas hers cannot be had for less than a guinea a *dose*, mine may be had, and in *any quantity*, from a *common soldier*, for *nothing*; and from an *officer* for *less than nothing*; that is—that I may explain my *Irish bull*—if an officer administer it, instead of *receiving*, he will very probably *give a fee*; a circumstance, I should think of no small moment, at least to the poor, during the present high price of provisions.

But not only will a *large army of unmarried soldiers*, or, which is the same thing, a *military government*, be an effectual remedy for *barrenness* in *married women*: it will have some happy effect upon *unmarried women* of a nubile age, of whom, 'tis certain, there are an immense number in this kingdom. No longer shall the *blooming virgin* be in danger of being seized with the *green-sickness*, or of obtaining the odious appellation of an *old-maid*; for then there shall be no such thing as a *green-sick virgin*, or an *old maid* in the island. Every woman that is turned of fourteen, shall then be employed in the great work, for which she was created, that is, in *increasing and multiplying*; and in contributing, at the same time, to the strength of the state, and to her own happiness. The *Turkish women*, we are told by some travellers, think they are never more usefully occupied, than when engaged in the *pleasing task of making little mussulmen*; and I hope, that when once a *military government* is established among us, *my fair country women* will adopt the same principles, and will think that they are never more usefully employed, than when engaged in the like task of *making little christians*.

What addition may, in a few years, be made to the number of the people, and of consequence to the strength of the nation, by these *blest effects of a military government*, it is extremely difficult, at present, to determine: though I think there is one circumstance, from which the reader may form some judgment on this important point; and that is, the great number of *foundlings* that are annually born in *Paris*, amounting, it is said, to between five and six thousand.

Now supposing one half of these to be the *produce* of the *clergy*—who labour, no doubt, with as much *zeal* and *success* as the *army* in this patriotic work of propagating their species—the other half, that is, between two and three thousand, will go to the *army*; and supposing *Paris* to contain one-twentieth part of the inhabitants of the whole kingdom, the number of children annually begot by the army alone, will amount to about 50,000: an amazing multitude! What a glorious prospect is here for Great-Britain! For although our *soldiers* should not at first be able to produce above 20,000 children a year, yet they will every year be increasing their numbers; and I am confident

dent that, in a short time, they will be fully capable to equal the *productions* of their haughty and *prolific* rivals.

It will, therefore, be necessary for the managers of the Foundling-Hospital to enlarge their plan, by admitting indiscriminately all children that are offered, and by building two or three hospitals more to contain the immense numbers that will be poured in upon them. And as all these will be the children of the state, and educated at the public expence, and in a public manner, we shall never be at a loss for strong, active fellows, to recruit our armies, to fight our enemies abroad, and to answer the purposes of *home-propagation*.

These Sir, are a few of the many advantages attending a *military government*. The others, which I proposed to mention—for, as I said above, I never meant to enumerate them all—I may perhaps point out in some subsequent letter. In the mean time, I am, Sir,

A Friend to the present Ministry, and to a military Government.

ON Thursday last, No. 51 of the NORTH-BRITON was read by Mr. Barlow, clerk of the Crown-Office, in the court of King's-Bench; and though it caused much pleasantry, yet Mr. de Grey, his Majesty's Attorney-General, moved the court for a rule to shew cause why an *Attachment* should not issue against Mr Bingley for publishing the said paper, which was allowed. On Friday the rule granted against him for the publication of No. 50 (as mentioned in our last) *was made absolute*; and on Saturday the rule against No. 51 was also made *absolute*, and the *Attachment* issued accordingly.—It having been confidently reported, on Friday and Saturday morning, that Mr. Bingley had absconded—to shew the publick the contrary, as soon as he found the second rule was made *absolute*, he sent to Mr. Francis, solicitor of the Treasury, and to several of the sheriffs officers, to come and serve it upon him, which was done about six o'clock on Saturday evening.—He was conveyed in a coach to Mr. Phillips's Lock-up House, the Py'd Bull, in Gray's-Inn Lane, where he remained that night; and yesterday in the evening was removed to Newgate.

THE ignorant writer of the paragraph in the Gazetteer of June 11, has very absurdly exhibited his want of grammar, logic, and every other requisite to good writing, when he calls papers *atrocious* and *ignorant*, for these epithets cannot properly be combined with aught but *crimes* and *men*; but how it can (with truth) be said to be fortunate for Mr. Wilkes, as well as a lasting proof of the impartiality and uprightness of his judges, “that his *outlawry* has been reversed,” deserves some farther enquiry—for surely the natural and unalienable right which every man has to justice, and which every Englishman has to *Liberty*, and the due course of law, can never, with any shadow of reason, or propriety of expression, be termed a mere event of fortune; and if it should appear that any delay has been designedly made to deprive him of the benefit of such a reversal, (as it seems at last he has always had a right to demand it) I know not what Englishmen can think of the impartiality or uprightness of such a delay.

T H E

N O R T H B R I T O N .

N U M B E R L I I I .

To be continued. Price Two-pence Halfpenny.

———DECIES REPETITA PLACEBIT. HOR.

S A T U R D A Y , J U N E 18, 1768.

To the N O R T H B R I T O N .

S I R,

June 16.

AS the affair of Mr. Wilkes, relative to the North Briton No. 45, is not yet determined, I have lately been led to take a review of that famous paper.

If any subject of the realm should discover a minister to have drawn up a form of words, containing a fallacy, with an intention to impose it upon his sovereign and his people, by *surprizing* the prince to utter it from the throne; it would be a noble, patriotic act, and his duty as a good subject, *to cry aloud and spare not, and to lift up his voice like a trumpet*, to detect and expose the iniquity of the minister. That this, and this only, was the design of the author of No. 45 of the North Briton, a due consideration of circumstances must, at this day, convince every impartial and unprejudiced person: I say, the author of that paper, not Mr. Wilkes; because I am fully satisfied, from the information of persons of the greatest veracity, and possessed of the best means of knowing the truth, that Mr. Wilkes was not the author of it.

I shall examine so much only of that paper, as concerns the point I design to prove. The writer's zeal for the honour of his prince could not but suggest to him the most acrimonious terms, when speaking of the wicked and deceitful minister. This, doubtless, made him express himself thus: "*This week has given the public the most abandoned instance of MINISTERIAL* "*EFFRONTERY ever attempted to be imposed on mankind.* And the
next

next proposition shews, that he considered the speech from the throne as it is always treated; that is, upon the principle of being the minister's only: namely, "*the MINISTER'S SPEECH of last Tuesday is not to be paralleled in the annals of this country.*" The following sentence evidently proves, that his indignation was against the minister, for having imposed on his prince, as well as on the people: his words, are, "*I am in doubt, whether the imposition is greater on the Sovereign, or the nation.*" The high veneration he has for the King appears in a strong light in the next words: "*Every friend of his country must lament, that a prince of so many great and amiable qualities, whom England truly reveres, can be brought to give the sanction of his sacred name to the most odious measures, &c.*"—Then, after lamenting that surprise, the author of the North Briton quotes that paragraph, to which he applies the words *infamous fallacy*. And I will appeal to every candid and unprejudiced man of sense in England, whether it is not only a very illiberal, but a very absurd construction of these words, to suppose them an INSULT upon Majesty, in almost the same breath which expressed the highest duty and respect towards him. It would be just as good sense, as if a man should address his prince thus:

S I R,

England truly reveres you, for your many great and amiable qualities; but you have imposed an infamous fallacy upon your people.

None but a lunatic could write thus: it is like the idea of a piece of red-hot ice; one part of the notion destroys the other. And yet, this is hardly so absurd as the construction put by the Favourite's party upon that passage in the North Briton. They have put the writer's words upon the rack, and have tortured his sense into a most horrible appearance.

But, supposing that the passage had really been ambiguous, and admitted of two interpretations, the most favourable construction ought to have been given it; because it is most worthy of liberal and generous minds, always to construe a doubtful point to the advantage, not the injury, of another.

If the speech from the throne were deemed the sovereign's, it would be injustice to charge the minister with any thing contained in it. But, by our constitution, if the sovereign be surprized into a falsehood, the minister is alone culpable, and alone responsible for it. This single argument sufficiently proves, that the speech is the minister's: and consequently, that the fallacy charged by the North Briton upon the speech, points full at the minister; neither is it in the power of words, more explicitly and distinctly to level against a minister, a charge of a fallacy imposed on his sovereign. Therefore the proper and
genuine

genuine title of the North Briton No. 45 ought to have been, *A detection of a fallacy imposed by the minister upon his sovereign and the nation.*

But, with regard to this matter, as it concerns Mr. Wilkes; time has advanced a reinforcement of argument in his favour. For, at this day we know what is the sense of the main body of the nation, concerning the prosecution against him: by the main body of the nation, I understand the electors of members of parliament. The electors for Middlesex have chosen him: and those of every other independant county, city, and borough in England, except where gratitude had pre-engaged them to their old patriot-members, would as freely have given him their voices, as the freeholders of Middlesex. And what is all this for?—is it because he insulted his sovereign; or is disaffected to his family? or, is it because he has practised against the state?—No: they consider themselves as the only supports of his Majesty's family and government, and love their prince as the father of his people; and they esteem Mr. Wilkes as a faithful subject of his Majesty; as a good citizen, and a martyr in the cause of liberty; and they are farther confident that he is well qualified, both in head and heart, for that important trust, with which they have vested him, the character of a member of parliament. These are the declared sentiments of the most numerous and respectable part of the people. Hence it is plain in what light they view the libel, which is charged upon him. And I must take upon me to say, that their sentiments furnish a most strong and conclusive argument upon this point, worthy the attention of the greatest men in the kingdom; for in number and property, his friends are greatly superior, and in understanding they are not inferior, to any body of men in the nation.

There is not a word in the English language, which occasionally suffers a more sophistical and scandalous abuse, than the term LAW. The laws are the supreme power of these realms: they preserve to us all our civil and religious rights; and we hold them sacred, and revere them, because under the shadow of their wings they protect our persons and property. The corruption of the law, that is, the tricking, over-reaching, chicane of law, is also called law: but is, in reality, oppression and fraud, under the mask of justice. By chicane of law, many honest men are abridged of their liberty; and many are defrauded of their estates; and their families are consigned to beggary and ruin: and yet, it bears the awful name of law, and, like the Diana of Ephesus, is set up as an object of worship by those who find their account in it. But the generous advocate for justice scorns it: and the upright judge, will, in the magnanimous integrity

integrity of his heart, break the teeth of that pernicious serpent, when it rears its head before him : remembering, that as the king's throne is established in righteousness, *his* seat is established in righteous judgment : and that it is the glory of a judge, his indispensable duty, to preserve it in its purity : strengthening all with that most awful reflection, that he himself must one day stand before a tribunal, trembling with wishes, that mildness and clemency may direct the sentence of his judge.

It is as clear as the sun in the firmament, in which kind of law Mr. Wilkes is trammelled. And I will appeal to mankind, whether the experience of each successive day, from every part of the kingdom, does not prove it to be the sentiment of the main body of the nation, that this prosecution is a SACRIFICE offered by the worshippers of that Moloch, the Favourite.

ANGLO-BRITANNUS.

To the Author of the NORTH BRITON.

S I R,

THIS extract from a manuscript which has lain by me several years, may, perhaps, not improperly, find a place in your paper at this juncture. I am, S I R,

Your friend and servant,

W—— H——.

THE FALL OF SOLOMON. A TRAGEDY.

ACT I. SCENE I. A Room of State.

OMRI, *one of the Omrah, or Princes of the Tribes*; NATHAN *the Prophet.*

I Tell thee, Nathan,——
'Tis impossible !

The base and fabric of our present system
Is so removed from Heaven's high design,
Our *Monarchy* from your *Theocracy* so wide,
So opposite, that they will never meet.

NATHAN.

Howe'er, my lord, the grievances now felt,
May well and easily be soon removed,
And some more near approaches still be made
To Heaven's high design, and Reason's rule.

OMRI.

O M R I.

The grievances complain'd of soon will cease;
 For use will make them less and less perceiv'd;
 Mean time they serve to answer our main purpose;
 The restless spirits of the male-contents
 Are broke by these, and taught to own the bit;
 Relax the reins, and they more restive grow,
 Spurn their weak rider, and refuse t' obey.

N A T H A N.

But *Israel's* sons, my lord, are daily taught,
 Their *laws* were given to free them from the yoke
 Of servile bondage, and tyrannic sway.

O M R I.

Those laws oblige them to obey their *King*,
 And kingly power can never be confin'd
 By the scant limits of the people's will;
 But must for ever spread—till over all
 It reigns supreme.—Thus hath Heaven ordain'd.

N A T H A N.

Thus 'twas foretold indeed by the great Seer†,
 That impious folly national should feel
 The dire effects of sacrilegious pride,
 And foul rebellion 'gainst the King of Kings!

O M R I.

'Tis just then to fulfil the prophet's threat,
 And make the rebels tamely to submit
 Their necks to every yoke for *Conscience*-sake.
 Let this be taught with most assiduous zeal,
 That they may learn to bear the fated burden
 Which they were born t' endure,—nor still complain,
 And make their *burden* greater by their crimes.

N A T H A N.

Let *hireling priests* preach thus—who dare to lie,
 False to their king, their country, and their God!

O M R I.

And can'st thou dare to aid *Sedition's* cry
 With maxims that subvert all government?

N A T H A N.

Not so, my lord, nor such the sacred text,
 Howe'er perverted from its proper aim,
 By such as would indeed *subvert* the state,
 In hopes of gainful refuge midst the *ruins*!

O M R I.

Sure there's no *danger* now?

N A T H A N:

Indeed, my lord, there is.

O M R I.

How know'st thou that?

† Samuel, Book I. Ch. viii.

NATHAN.

I hear the nation's cries;—with one consent
 All loud exclaim against the *Favourite*;
 They see the weakness of the *Sanhedrim*,
 They know their wants, and will not yield them aid:
 Thus firm they stand, enforc'd by those
 Whose patriot zeal, or interest, fears, or hopes,
 Have won them to espouse the common cause,
 And join the people's *great majority*.

OMRI.

But can they know their strength? or cease to fear
 And tremble at the terror of our *laws*?

NATHAN.

Such *laws* as contradict the *law supreme*,
 And make the people's weal the sport of power,
 They have been taught to spurn with perfect hate,
 Nor fear to treat as *traitors* to their trust.

OMRI.

Now by the altar! thou hast spoken well,
 And well hast shewn thy zeal for liberty.
 But thou shalt see the *mobbing slaves* retire
 With sudden *panic* from the dreaded power
 Of military bands ready at command
 To enforce obedience.—

NATHAN.

They fear not force, but *fraud*; for well they know
 Those military bands are in fact their own,
 With the whole hireling croud of pensioners,
 Of *placemen*, *officers*, and all their train,
 Whene'er their *power* superior stands confess'd.

OMRI.

Thou dost not now pretend to prophecy?

NATHAN.

Mere human foresight may predict the fate
 Of kingdoms. When their *glory* is eclipsed
 By lawless power, and *legal tyranny*,
 Destructive to all industry, and right:
 When howling *want*, and loud lament of *woes*
 Assault our ears from every side amain:
 When *Misery* and *Madness* multiply
 Their thousands and ten thousands in the streets:
 When midnight *mischiefs*, and the horrid train
 Of *crimes* unnam'd with proud *Venality*,
 Stalk, giant-like, insulting *Liberty*
 And *Laws* divine!—

[To be continued.]

T H E

N O R T H B R I T O N .

N U M B E R L I V .

To be continued. Price Two-pence Halfpenny.

*Sed quid opus teneras MORDACI radere VERO
Auriculas? —————*

————— *Per me equidem sint OMNIA protinus ALBA.
Nil moror : Euge ! omnes, omnes bene miræ eritis res.*

PERSIUS.

S A T U R D A Y , J U N E 25 , 1768.

FOR some weeks past I have allowed my correspondents to figure away in this paper, and *fine work* they have made of it ! One of them has had the honour of having his performance read and *criticised* in the court of King's-Bench ; though I dare say he would rather have submitted it to *any other court of criticism* in the kingdom. For, as Paul Whitehead says,

*Who would have ——— answer what he writ ?
Or special juries, judges of the wit ?*

Nay, nothing would satisfy my publisher but he too must turn author, and have a paper in the North Briton. He has one ; and what has been the consequence ? Why, the same compliment has been paid to his paper as to that of my correspondent ; and he has likewise had the additional honour of being sent (as the proverb says) to a *better*, at least to a *stronger, house* than ever his father built : in plain terms, he has been committed to *Newgate*.

All this, I own, is very right ; for how could either my correspondent or my publisher presume to publish facts, which had been repeatedly published in all the news-papers in the kingdom ? Especially too at a time, when, it is well known, the
ministry

ministry were employing every means to mitigate the sentence against Mr. Wilkes, and indeed, if possible, to prevent any sentence being pronounced against him at all. For what else could be the meaning of those numerous p—y—c——ls, which were held about six weeks ago, and at which a *certain noble lord* always assisted, and after which he had always a long *private conference* with his ———?

Some factious spirits, I confess, are of a different opinion, and assert, that the intention of these p—y—c——ls was directly the reverse; and that their only end was to consider how severe a punishment they could inflict upon Mr. Wilkes, consistent with their own safety. But that this insinuation is absolutely false and groundless, will be evident to any one who reflects how apt our ministers have been, during the whole progress of this affair, to embrace mild and moderate measures. Did they not, at the very beginning, issue a general warrant, apparently with no other view than to give Mr. Wilkes any opportunity of escaping amidst the general confusion? And when he was so foolish as not to take that hint, and they were afterwards obliged to apprehend him, did they not send him to the Tower, not for the sake of *closer confinement*, but purely by way of *compliment*; and debar him the use of pen, ink and paper, not to hinder him from corresponding with his friends, but merely from the same motive, which induces us to keep *dangerous weapons* out of the hands of children and madmen?

Imagining now, and doubtless very justly, that he was reduced to such a state of despair, that he might probably be guilty of the horrid crime of *suicide*, which our casuists have defined to be the sin against the Holy Ghost, which can never be forgiven; in order to prevent him from committing such an unpardonable crime, and thus murdering his soul as well as his body, they employed a *Dun*, a *Forbes*, a *T—*, and above all the *famous Target-man*, to save him from such a cruel dilemma. And when Mr. Wilkes, not choosing to accept this *last favour*, this *coup de grace*, from the M——, thought proper to retire into France, the same *worthy friends* procured a sentence of outlawry to be pronounced against him, which, notwithstanding the terrible idea annexed to this word by some ignorant persons, meant no more, in the present case, than a permission to travel for a few years, or, if he had a mind, during the whole remaining part of his life. For the ministry, apprehending that Mr. Wilkes might imagine, from the false representations of some turbulent spirits, that they had treated him with all the cruelty of some old Russian tyrants—who permitted none of their subjects to travel without an express order, and that granted but for a limited time—were willing to shew him, that whatever truth there might be in the first of these accusations, there could be none in the last; for that, if it suited his convenience, he might travel for ever.

Mr. Wilkes, however, (such was his *ingratitude*!) rejected even this *fresh offer of friendship* from the ministry, and spurning
ing

ing the permission which had been granted him to *travel*, returned, uncalled, to his native country; where the ministry offended, as might naturally be supposed, at the ill reception he had given to their *former proffers of kindness*, suffered him, for some time, to remain in obscurity: but the moment they began to take notice of him, they did it with such marks of honour and distinction, as had hardly ever before been shewn even to crowned heads. He was lodged in one of the best, at least in one of the *securest*, houses belonging to his M——; *troops of horse* and *companies of foot* were appointed to attend him, and his reception into his new dwelling was celebrated with repeated *jeus de joie*.

Mr. Wilkes, therefore, has not been treated with neglect: and how can he say he has been treated with severity? He affirms, indeed, in his address to the Freeholders of the county of Middlesex, that his sentence is severe. But how, in G-d's name! will he prove that? Will he say, that his sentence is arbitrary, and depended upon the discretion of the ——; and that he might as easily have been condemned to a fine of 100*l.* and to two months imprisonment, as to a fine of 1000*l.* and to two years imprisonment? If he should say so, the truth of the assertion cannot, indeed, be denied: but then he ought to consider, that a milder sentence could not have been passed upon him without endangering the public peace, while the whole nation is so highly enraged against him, and in truth is provoked to the last degree, that the sentence passed upon him, is so very gentle. And as a milder sentence could not have been passed upon him without endangering the public peace, so neither could it without violating the principles of equity.

Had he, indeed, attacked any of the English nobility, who, as *Sir Archy M'Sarcasm* says, are all sprung from *sugar-casks* and *rum-funcheons*, there would have been no greater matter: instead of being punished, he might, perhaps, have been rewarded. But to attack so great, so eminent, and so illustrious a personage as the *E. of B.* descended, and that too legitimately, from those *jure divino Kings*, the *princes of the Stuart-line*! the bare idea is enough to fill every loyal breast with the highest indignation. Let him remember the fate of *Prynne*, *Bastwick*, and *Burton*, felicitate himself on his late narrow escape, and tremble at the thought of committing such an enormity for the future.

As to the length of his confinement, I think it is no great hardship. How many of the *ministers*, those *worthy friends* (or, as perhaps he would call them, those *cruel persecutors*) of his are confined with the gout? Now let him only imagine (and what more easy?) that he is confined with the gout; and then he and his persecutors are quite upon a level. As to his fine of a 1000*l.* I wish it had been 10,000. His friends, I believe, would have made no scruple to pay it; and the Civil List, I am sure, stands greatly in need of it.

But I must have a few strokes more at this address of his, which, indeed, is so replete with curious matter, that it might
apt

apt texts for a dozen of political discourses. He says, that *in the whole progress of ministerial vengeance against him for several years, he has shewn to the conviction of all mankind, that his enemies, (that is the ministers) have trampled on the laws*—God help him! poor man! Is he yet to learn that *laws were made to be trampled on* by ministers: that they were intended only to bind the weak, not the strong; to be observed by the people, not by their rulers: and that they exactly resemble a spider's web, which is sufficient to catch small flies, but is easily broke through by large ones. If he is yet to learn this lesson, he is very unfit to be a member of the legislature; and I would advise the Freeholders of the county of Middlesex immediately to choose another representative in his room.

He further says, that he is determined to carry on the prosecution against *lord Halifax*; and (I suppose he means) to recover damages. If this be his intention, I would earnestly intreat him to desist from his design. For by whom will those damages, if he should be able to recover them, be finally paid? By *lord Halifax*, will he say? He knows the contrary. By whom then? I need not tell him. The Civil List, it is certain, is already in arrears to the incredible amount of 600,000*l.* and is little able to bear any additional burden. So that, should he be able to obtain damages, which I very much doubt, he himself will be obliged to contribute to their payment; and he will be reduced, in some measure, to the condition of the miser, who stole, with one hand, what he had gained with the other. Let him therefore, as he would wish to preserve the character of a man of sense, and a friend to his country, *give over* all thoughts of a prosecution against *lord Halifax*.

But the particular part of *Mr. Wilkes's* address, which displeases me most, is that where he says, "That he is determined never to accept from the crown either place, *pension*, gratuity, or emolument of any kind." For this declaration I am extremely sorry; as (to compare great things with small) I think *Mr. Wilkes* has as good, if not a better, right to a pension, than *Dr. Shebbeare*, who now enjoys one—such is L. B.—'s regard for the friends of liberty—of two or three hundred a year. *Dr. Shebbeare*, it is well known, is a *thorough-paced Tory*, or rather a *rank Jacobite*: *Mr. Wilkes*, on the contrary, is a *staunch and tried Whig*. *Dr. Shebbeare* has wrote against the Revolution, the Protestant Succession, the Brunswick family, and against all the rights and privileges of the people: *Mr. Wilkes* has shewn himself a strenuous advocate of every one of these, and has done and suffered more for their defence and support, than any other man for this century past and upwards. I should therefore think, that, as the Brunswick family is still upon the throne, *Mr. Wilkes's* pretensions are rather better founded than those of *Dr. Shebbeare*. But *Mr. Wilkes* is a much better politician than I am, and much better acquainted with the spirit of the times; and I, therefore, leave him to the guidance of his own councils.

A DIALOGUE

A DIALOGUE between a COURTIER and a PATRIOT.

A FRAGMENT. *Translated from the Chinese.*

Courtier. WHAT, Sir, can be the cause of the present dissatisfaction of the people?

Patriot. Their dissatisfaction, Sir, is owing to a variety of causes: but the two principal seem to be, the uncertainty of the law in some essential points, and the insupportable load of the public taxes.

Courtier. Whence, Sir, can arise this uncertainty of the law?

Patriot. It is owing, Sir, to the *capricious detail* of an *arbitrary disposition*, which sets up its own caprice in the place of law, and then makes the law as vague and uncertain as that very caprice itself: it is owing to a poor pusillanimity, that, with solicitude, is ever inventing *new snares to entangle civil liberty*: it is owing to the pride and jealousy of power, which never thinks it can make itself sufficiently felt: and, in short, is owing to the vain desire of superintending a multiplicity of *minute objects*, which would all work themselves clear, and be properly adjusted, without any such superintendence. Nor, Sir, in these circumstances, is it, in the least, surprizing, that the subject should be so often refractory to the authority of government. For while the *laws*, which *limit* and *abridge* the *liberty* of the *people*, are ever expounded with *rigour*, *those*, on the other hand, which *favour natural freedom*, receive too often a negligent, a *temporizing construction*.

Courtier. You say, Sir, that the public taxes are by far too heavy; but you do not consider, that if the people are left too much at their ease, they grow, by a natural consequence, lazy, arrogant, rebellious, and untractable.

Patriot. Gracious Heaven! will assuring to men the fruits of their labour, give them an aversion from industry? Will men become rebels, because their happiness is secured and promoted? But the fear is, that they will prove arrogant? Alas! I know, that *little tyrants* would be glad to see them *crouch like slaves under the master's lash*. But I would desire to know, to whom should the subject bend, while his conduct is free from reproach or guilt? There is no power on earth, but that of the *laws* and of the legal sovereign, to which an honest member of society owes any deference. I would ask further, will usurpation be as sure of having obedience paid to it, as will that mild authority, which creates for itself a kind of paternal empire over the hearts of men, by works of beneficence, and by generous deeds that call for gratitude, affection and esteem? Believe me, I know the character of the people: they are not what they are represented. Are they dispirited, nay disaffected? It is owing to their grievances. Is their temper soured? and are they grown reluctant to command? It is because they find themselves for ever acquiring, and never sure of possessing. In sober sadness, this is the truth; but it is disguised with art: designing men dogmatize on the subject, and they endeavour to give their falsehood the air and sanction of appearing systematical. The principle upon which they ground themselves is, *that the race of man lives in subserviency to a very small part of the species,*
and

and that the world was made for the use of themselves and a few leading men.

Courtier. It is an inconceivable pride, and yet a pride too common to the human mind.

Patriot. Not so common as you imagine: we hear it indeed often, but it is from men who are acting a part: it is a sort of paradox in politics, that never had one sincere believer. I will venture to say, there never yet existed a *person of common sense, however eminent his station*, who, upon a comparative view of *himself*, and the people who support, who nourish, and defend him, did not *shrink back with humility into himself*: for he feels his imbecillity, his necessities, and his state of dependance. His pride is a mask, a mere assumed character; but the mischief is, he is so practised in the character, that he has learned to play it well, and to impose upon his audience.

Courtier. It must be owned, indeed, that the people are rather too much depressed: but happily little is wanting to that race of men, enured as they are to penury and labour! Beyond the excitements of appetite and the first wants of nature, their ambition never rises: let them have bread, and they have content along with it.

Patriot. To say the truth, Sir, one would imagine that you had lived your days in courts, for you are master of the language. What you have now advanced rings for ever in the ear of a prince, that he may be the more readily induced to pillage his people, and that he may do it without remorse. The people, it is true, have not the inordinate wants which luxury has created in the higher ranks of life; and therefore, they are more likely to be reasonable in their complaints and their demands. In the court-dictionary, to want the necessaries of life, implies the want of ability to maintain *twenty useless horses, and as many idle drones in livery*: in the honest meaning of the simple labourer and mechanick, it is to want wherewithal to nourish a poor old father, bending under years and infirmities; to rear a little race of infants, whose feeble arms are yet unfit for work; and to comfort a virtuous wife, who is either breeding or nursing a new subject of the state.

Courtier. But, Sir, will you not allow, that there are times of public calamity, when government may exert a *dispensing power*, and *state necessity* is then the law which imposes new burthens and taxes on the people?

Patriot. No, Sir, I will never allow it. To that *state necessity* I am a perfect stranger: the occasion for that dispensing power I have never yet seen. But to represent things in their true light; do you know where the mischief lies, that makes the honest labourer and mechanick groan in misery? It rests with that *superior class*, as it is called, *who pass away the hours in idleness and riot*: by them the whole burden is thrown upon honest industry. They reap almost all the advantages of the civil union; and yet contribute the least to its support: they do nothing for the strength and dignity of the government, which gives them so much ease and enjoyment. They repay nothing for the benefits they receive; and yet in their case it seems a privileged, an honourable insolvency.

T H E

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'Tis pers'nal *virtue* only makes men *great*.

A MAN OF KENT.

S A T U R D A Y , J U L Y 2 , 1768.

To the Right Honourable THOMAS HARLEY, *Esq*;
LORD-MAYOR OF THE CITY OF LONDON.

MY LORD,

AMONGST the many wretched and deplorable states, to which the life of man is subjected, that of *imprisonment* is surely one of the most severe and insupportable.

Your Lordship's ancestor, the great earl of Oxford, could he be called to earth again, would confirm to you this *fact* : nor could a more competent, or a more unexceptionable witness, you must acknowledge, be produced, to satisfy you in this particular, if you entertained the least doubt of it, as you could never suspect the testimony and veracity of that man, from whom you hold your present greatness and honour ; and who might well inform you, that the generality of men, at least those of spirit, would prefer the *grave* to such a situation.

Those who know not the *miseries* and *hardships* of a *prison*, but by hearsay, are little affected by the most striking picture that can be given of them. When our neighbours or acquaintance hear that such a man, or such a one by name, is cast into prison, the common answer is, *Poor man* ! I am sorry for him ; and with some such vague expression of concern, he is thought of no farther : whilst the unhappy *victim*, the object of
ministerial

ministerial vengeance alone—for, my Lord, I speak not here of *traitors*, murderers, or robbers of the public—with his helpless wife and children, are consigned to misery, his substance wasted, his shop and trade abandoned, and the yet unborn involved in the common *ruin*. It would therefore, my Lord, in some degree be necessary that we should all be immured in our turns, in order to be truly sensible of the distresses attending the loss of liberty.

Though your Lordship is now at the head of the city, as your *celebrated ancestor* once was at the head of the *state*, you are no more exempt from the danger of *confinement*, than his lordship was, in the most brilliant days of his ever-memorable administration.

When he was playing off the *family of the Stuarts* against the *family of Brunswick*; and the family of *Brunswick* against *that of the Stuarts*:

When he was jobbing with his *mistress*, and secretly contracting with France,—for *contracts*, you know, are often more beneficial than pensions—to bring over the Pretender, and place the *crown* upon his head:

When he was playing fast and loose with one of the best *Kings* that ever held the *scepter* of *England*, *George the First*; and the *heir-apparent of its crown*, *George the Second*, successor to his *royal father's throne*, and to his virtues; virtues left as an inheritance to his children, ever dear to this nation:

When, with the same breath, he blew hot and cold, on the important *question*, as best might answer his views of *interest* and *ambition*:

When he would have destroyed the *constitution*, by opening the door at *Powis-house*—to which the Pretender was secretly conducted, for the more secretly carrying on the conferences, necessary for bringing about the grand affair—in order to open the door to the *throne*:

When, with another colleague, who, by his artful conduct, had a pardon in each pocket, one from King *George the First*, and the other from the Pretender, he laboured in the same vineyard, to the same purpose:

When, to deceive the public, and stifle the suspicions which this affair gave birth to, and to draw his own neck out of the collar, he caused the *Queen* to issue a proclamation, with a reward for apprehending the said Pretender, after he was gone away, and that he knew he was safe landed on the continent, and out of danger:

When, in fine, by his political schemes, and the measures he pursued, he had left the nation in a state of ruin; from which it was happily recovered, and the present illustrious family established on the throne, in spite of every opposition, by the glorious efforts of the present duke of *Newcastle*, and the

the noble dukes, lords, and others of steady Revolution-principles.

It is no wonder, my Lord, that, for crimes like these, he suffered a tedious imprisonment: and if his punishment was not adequate to them—without speaking of those which regarded the peace of Utrecht—it was only owing to political reasons, and to the clemency of a most merciful sovereign. Hence it is that I venture to say, that you, my Lord, may live long enough to experience also a confinement, just or unjust; when your transitory title, which passes away with the summer season, shall be no more; and taste the bitter fruits with which a prison is ever attended, as I do, for what I think no reasonable impartial man can judge to be a crime against the laws of God, or those of my country.

If this, my Lord, should ever be your case, and I at liberty, as I expect to be in a little time—for the most severe *accuser*, my own conscience, cannot charge me with any offence; nor was I, or any of my family, ever brought before judge or jury, to the best of my knowledge, till I was lately summoned before lord Mansfield for publishing the North Briton, No. 50, setting forth what his Lordship had publicly declared in open court; and for which I am now, as I apprehend, illegally detained a prisoner in Newgate, contrary to that protection which the established laws of my country afford, by a method which begins to render the liberty of the *subject* as precarious, I think, as if under the INQUISITION of Spain, or the POLICE of Paris: an oppression so grievous and dangerous to every individual, that it may be truly said to compose the second volume of Tyranny and Despotism.—

I say, my Lord, should you ever fall into such a dilemma, as I have above mentioned, you shall not say you was in *prison* and I visited you not. Yes, my Lord, I will visit you, but it shall be as a christian, and not as a savage or a barbarian: not to insult you with abuse, and augment your distress.

Believe me, my Lord, that though I am a tradesman, I am more a gentleman, and, I hope, more a christian and an honest man, than to be capable of adding trouble to the troubled, or heaping afflictions on the afflicted.

It is the reverse of such a procedure in your Lordship's late behaviour towards me, that obliges me to give the particulars of it to the public, to judge of your cruelty, and not to give heed to false insinuations; and it is to request a discontinuance of your abuse, and giving out what may be injurious to me, that I write this letter, whereby the public will be acquainted, that on the 15th day of last month, your Lordship, attended by some gentlemen of the Committee for rebuilding Newgate, came to inspect the place.

On entering the Press-yard, some of the gentlemen had the humanity to desire to see me under confinement, and which I believe

believe ninety-nine in the hundred of honest and impartial Englishmen, will think cruel and unjust; since I desire, that if I have been guilty of any offence, against the laws of my country, I may be tried for such offence, by a legal jury of my own countrymen, the birth-right of every English subject without exception; though it has hitherto been refused me, by such *influence*, chicanery, or other artful methods, as I am not yet able to account for. Power, and not justice, seems to direct the machine, that overturns, in its destructive course, every thing that would oppose its rapid progress, to involve the kingdom in ruin.

Those gentlemen, I say, having heard from the prisoners in the yard, that I was in my room up stairs, proposed to come up to my chamber to see me, when you thought proper to prevent my receiving this favour, by telling them, "I was very well where I was, and that I deserved to be hanged."

These expressions of abuse and cruelty were soon echoed to me by persons who were astonished, as coming from the mouth of authority. Alas! my Lord, what have I done to merit so hard a fate, or such a false and scandalous accusation, from the first magistrate of the first city of Europe, when I, and all my family, have ever lived with a fair and unblemished reputation.

Could any thing be more injurious to me in my present condition, and pernicious to my family and credit, or fatal to the business by which I acquire an honest livelihood for myself and those whose dependence is upon me for their bread, than such a declaration from a person cloathed with the ensigns of justice and mercy, the latter of which is often extended to the greatest criminals by the most rigorous judges of their unhappy fate: how must it be then with me, who am not charged with any crime of such a nature? Would you, my Lord, hang a man first, and try him afterwards? This is not Old-Bailey law, you know.

If those gentlemen, or any of them, could or would have been of service to me, or to my family, under the present distress, you effectually defeated the good design, and prevented me from laying hold of an opportunity of saying or doing what might be of importance to me in my present situation, without prejudice to your Lordship or any other person.

I always understood that a prison excited compassion in every humane mind, for those who are so unfortunate as to be confined within its walls: and that acts of cruelty and oppression were not permitted even to the goaler or hangman. Why then, my Lord, this uncharitable and infamous declaration against me? Was it to prejudice me in the good opinion of honest men, and that the pernicious report from your authority might be transmitted to many more, carrying with it those impressions which bias weak minds, and are productive of many evils, such as may end in the ruin of an innocent person?

Surely,

Surely, my Lord, you ought to have learned better things at the Old-Bailey, where you have presided among the learned judges of the law, whose wisdom, prudence and humanity, even to the most abandoned profligates and criminals, have always protected such wretches from being treated with insolence and opprobrious language, by those to whose merciless care the miserable culprits have been committed.

Though I respect your gown and authority, on whose back, or in whose hands soever they may be found—as I do all those in authority under *His Majesty*—I have nothing to fear from either, but in common with the rest of my countrymen. The King, 'tis true, is the *fountain* of titles and honours, but God alone is the creator of men: and since we are all children of the same father, all the productions of the same hand, had that brotherly love existed among us, which is so strongly recommended by his holy word, all rancour and malice would soon be extinguished, and harmony and benevolence succeed in their place.

Can your Lordship imagine, that, had it been my misfortune to be brought to be tried at the Old-Bailey for any crime real or supposed, during the time of your being on the bench there, after such a partial declaration as you have been pleased to make to my prejudice before-hand, I would not apply to that court, to oblige you to quit the bench and go aside, that I might have a fair and impartial trial before *unprejudiced and upright judges*, and assign my reasons for such application? Certainly I would, and should have little doubt of succeeding therein.

How does your Lordship know, but others, from the like motives, may one day be compelled to do the same, should you continue the like practice?

I never did any thing that could offend your Lordship, unless it was publishing a letter addressed to you, as any other bookseller or publisher in London would have done in the like case: if this be the cause why you are so charitable as to give out, that I deserve to be hanged—and, thank God, there is no other—you may as well hang the whole trade: but I am persuaded that they, as well as myself—except your Lordship's bookseller—bid your Lordship defiance in this respect. For my own part, I am determined to encounter, though with feeble arms, the hardships of a prison, before I will submit to any thing contrary to the birth-right of a free-born Englishman, struggling, according to his best though weak efforts, for the preservation of his own and his countrymen's *liberty*: for if the press is restrained or intimidated, down falls the *prop*, on which our greatest security rests, and which has often saved the nation.

The reproofs your lordship has received from the publick papers, and other writings, for your extraordinary and ever-memorable behaviour to one of the best friends that the royal family and this nation ever had, I mean Mr. Wilkes, would, I imagined, have been a sufficient admonition to your Lordship,

ship, to lay aside your sentiments of revenge, and afford protection to me and others from meeting any uncharitable and unkind behaviour on this subject: but since these things have so little effect, I must leave it to my unprejudiced countrymen to judge of the premises, and shall conclude with the following story, which sufficiently shews the fatal consequences of a vindictive disposition. Two brothers, about the year 1733, who had enlisted themselves in a marching regiment, and were encamped on Strawberry Wood, near Wells, in Somersetshire; the eldest had undesignedly disobliged his officer, who, from the dangerous passion of revenge, often treated the poor fellow with severity and abuse: the younger brother, unable to remain an eye-witness of such repeated injuries, deserted; and being apprehended, was condemned to be shot. When the execution was appointed, the officer, to gratify his resentment, directed that the elder brother should be of the party who was to shoot the convict. The poor man with tears expostulated against such an unnatural service, begging that he might be excused, and another sent in his stead; but all in vain. Such was the malignancy of the officer, that he went with the file himself, to see that the elder brother did duty; and the signal being given to fire, he quickly turned his piece to the officer, and shot him dead; but the affair being represented to his Majesty, he received a pardon. This was what the officer brought on himself by a vindictive temper.

Without applying the story, I will assure your Lordship, that no resentment of mine shall ever excite me to any other step, but to submit my case to the public; and to tell them, that though I find myself sensibly injured by you in so tender a point, I am nevertheless your Lordship's

Very Humble Servant,

Newgate, July 1, 1768.

W. BINGLEY.

The Reader is intreated to excuse and correct the following ERRATA in our last Number:

Page 321, line 9, for *the wit* read *his wit*.

line 11, for *has one* read *has had one*.

Page 322, line 3, for *them* read *him*.

line 17, for *any* read *an*.

Page 323, line 21, from the bottom, for *greater* read *great*.

last line of the same page, for *might apt texts* read *might furnish apt texts*.

LONDON: Printed for W. BINGLEY, opposite Durham-Yard in the Strand; by whom Letters to the NORTH BRITON are received; and where all the preceding Numbers of the *Continuation of the Genuine NORTH BRITONS* may be had

This Day was published, the FIFTH EDITION of

A LETTER to the Right Honourable THOMAS HARLEY, Esq; LORD-MAYOR of the City of LONDON, and one of his Majesty's *Most Honourable* Privy Council, on his Behaviour towards JOHN WILKES, Esq; during the Election of the four City Members. By an ALDERMAN of LONDON.

T H E

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DONNE's Satires versify'd by POPE.

S A T U R D A Y , J U L Y 9 , 1768.

THE following papers were communicated to me by Mr. Mac Allester. They contain a striking picture of the insincerity of ministerial promises, and of the little regard which our statesmen often pay to the interests of the nation. If any of the facts should be questioned, Mr. Mac Allester is still alive, and, I dare say, is able to verify them. My only motive for inserting them in this paper, is, to give a gentleman, who has been of some—and, if our great men had pleased, might have been of more—service to the nation, an opportunity of appealing from the duplicity of ministers to the justice of the public.—It is almost needless to premise, for it will appear from the perusal of the papers, that they relate to an invasion, which the French intended to have made upon this island in 1762; and it is not to be doubted, but, that through the channel of this paper, the services mentioned in the petition may be conveyed to the royal ear, and properly rewarded.

Mr. MAC ALLESTER's Letter to LORD B----

MY LORD,

April 7, 1768.

CERTAIN it is, that I never intended troubling your lordship further, after the last unkind treatment and injustice you were pleased to shew me. However, from some circumstances, which have lately happened, I determined with myself to make, once more, a new and respectful application to you, in which your own conscience, as well as public justice---to which I appeal---must approve of my conduct. It is to lay my petition before his Majesty, and to obtain for me the recompence of the important services I have had the honour to render to him and the nation.

It appears, from all the histories of that period, that about the year 1727, the parliament gave 250,000*l.* to prevent a Swedish invasion. I must beg leave to observe, that that invasion was neither so really intended, so formidable, or so dangerous, as that which my discoveries and services prevented. For in this, the designs of the enemy were not only to overturn the constitution, but actually to take away his Majesty's sacred life, and the lives of the Royal Family, if their detestable project could have succeeded; which I can prove by unquestionable facts, notwithstanding all the artful pretences that may be made use of to the contrary, by those, who would deny or elude the charge. But these particulars have not yet been communicated to the publick, because the proper enquiry has not been made from me. It is then enough for me to say, in this place, that all the designs of the enemy were defeated by my discoveries, and a peace concluded,

Notwithstanding

Notwithstanding your lordship's promises---two months after those services were performed by me---that his Majesty would generously and liberally reward me, you was pleased to suffer the man, who was to pay me the trifle allowed for my subsistence, to deprive me of about 200*l.* under pretence of maintaining me; whilst I supported myself at my own expence, believing the money would be repaid me. And then your lordship was pleased to order the remaining trifle of twenty-five shillings a week, to be taken from me, and that I should be left to starve---a pretty recompence for services truly!---Mrs. M---, who preserved my papers, and came over by your lordship's approbation, expecting some provision for the service, was left to perish, and actually died for want. These are facts; but how far consistent with justice and equity, I must submit to your lordship's own conscience.

From these unmerited cruelties, which you thought proper to inflict upon me, and from the little effect of the reiterated applications which I made to you for justice and redress, I was forced to publish my case, in two volumes, setting forth in part the history of my services, in which I avoided all marks of disrespect to your lordship. Many of the nobility, who perused these books, which have met with their highest approbation, expressed their concern at the ill usage I have received: and I am now forced to write a third volume, which is preparing for the press, and will be published next winter, containing facts, I believe, that cannot fail to move the most obdurate heart.

Permit me, my lord, to write to you as a gentleman and an honest man, without giving you offence; for I will never forfeit those characters. Your lordship knows the clamours raised against you; but I have never as yet joined in any cry, nor have I ever complained or applied to any man, but to your lordship, except to lord S-----, to whom I wrote last summer. I, therefore, beseech your lordship to put an end to my distresses and complaints, and to obtain for me that recompence which my services so justly merit.

If your lordship should be deaf to my entreaties, and are still determined to distress me, please to send me the petition by Mr. J-----; for I shall be obliged to publish it, together with this letter, which I would rather avoid. I will wait on Mr. J----- at the Treasury, to receive your lordship's commands. I have the honour to be, my lord, your lordship's most obedient, &c.

OLIVER MAC ALLESTER.

About a fortnight after this letter had been sent, Mr. Mac Allester met Mr. J----- at the Treasury, and asked, if his lordship would do any thing in his affair. Mr. J----- told him lord B--- would not meddle in any public business. Mr. Mac Allester said, if that was the case---which, however, he did not at all believe---yet, by presenting a petition to his Majesty, or even recommending it to the minister, the business would be done. J----- then advised Mac Allester to give one, himself, to one of the S-----s of S-----; adding, he did not doubt, but that this method, which was the properest, would do. But no petition was returned by lord B---; and J----- then recommended it to Mac Allester, to speak to Sir J-----h Y-----; to which Mac Allester answered, that he had kept Sir J-----h in the dark, with regard to his discoveries, which had displeased him; and that, as he knew nothing of the business, but what he might have heard, since Mac Allester's arrival, and performing his promise with respect to defeating the enemy's designs, it would be useless to apply to Sir J-----h. J----- then repeated the propriety of applying to the S-----y of S-----, and though Mac Allester suspected it was one of those old, hackney, ministerial turns for delay or disappointment, which are too often practised, he at the same time imagined it might be a fetch of lord B---'s, by which Mac Allester might obtain something from the minister to stop his mouth, without his lordship's appearing therein; and therefore he had a mind to try the experiment, and follow J-----'s advice. On which Mac Allester got a like petition made out and copied, which he inclosed in the following letter, and sent it to lord S-----.

Letter from Mr. MAC ALLESTER to LORD S-----, dated April 29, 1768.

My LORD,

I HAVE the honour to inclose to your lordship my petition, supplicating your lordship to lay it before his Majesty, and begging leave at the same time to acquaint you, that I had the honour to send, lately, a petition to the same purport to lord B---, praying him to the same effect; but that on Tuesday having waited on a gentleman, by whom I expected the honour of an answer, he told me his lordship did not meddle in public affairs; and then desired me to present my petition to the S-----y of S-----.

It is from this circumstance, that I beg leave to trouble your lordship, whose distinguished character for humanity and goodness, gives me room to hope, that you will favour me in a case so interesting, and supported intirely by truth and justice.

The

The important facts, mentioned in my petition, are known to lord B---; to whom you can speak, if the smallest doubt remains to be satisfied; besides, your lordship has my papers of discovery under your own hands, as they were lodged in the S-----y of S-----'s office.

Permit me then, my lord, to say, that the distresses which I now labour under, by my services to his Majesty and the nation, are insupportable; and that an instance of such unkind usage, as I have received, is scarce to be found in history. If they are not redressed, I believe your lordship will agree, that it will be no encouragement to others, hereafter, ever to serve government.

I have, my lord, a large family to support, and have lived on my own substance, since I came over, expecting the recompence promised me. I had, it is true, a small allowance, for some time, from the government; barely sufficient to support the person, and her children, who preserved my papers, and who was brought over to London. This allowance was taken away, and the unfortunate person died for want.

By my services, I have lost the friendship of all those I might call friends. I have never done an action unbecoming a gentleman, or knowingly or willfully offended or affronted any man, unless forced to it: my life has been often threatened by the partizans of France, for defeating their bloody designs against his Majesty and the nation.

If then, my lord, I am to be abandoned to distress, and left a prey to my enemies for those services, I must submit it to the consideration of your generous mind, whether I am well used. I am persuaded his Majesty is too just and equitable, and his royal bounty and liberality too great, to suffer a man, who has had the honour to render him such services, to fall a sacrifice to distress, or become a victim to his enemies.

I humbly pray your lordship to be moved with my case, and to stop the cries of my injuries and distresses, by obtaining for me such a bounty as his Majesty's generosity will please to bestow on me for the services set forth: by which you will find a heart replete with gratitude, in him, who has the honour to be,

My lord, your lordship's &c.

To the KING's Most Excellent MAJESTY.

The Petition of OLIVER MAC ALLESTER.

MOST HUMBLY SHEWETH,

THAT your petitioner having, in the year 1761, found out, and discovered, that preparations were making, and carrying on, by the court of France with all diligence, at an immense expence, for invading this kingdom, your petitioner got into his hands the original instructions, sent by the French minister, to one captain Dumont, to examine the coast of England, from Beachy-Head to Arundel, and for measuring the anchorings, soundings, landing-places, harbours, and ports, along that coast, with directions to form a chart thereof, in order to invade this kingdom †; And the said Dumont's report in pursuance of the said instructions,

† Instructions for Mr. Dumont, commander of the St. Esperries, translated from the French.

WHEN he shall sail, let him choose the most proper time (that is to say, in the night) with the most favourable wind, so as to be able to go to Beachy-Head, on the coast of England, and to return from thence. He shall examine that coast from this point, as far as to Arundel, or such part of it as he may be best able to do, with the least risk; and let him endeavour to reconnoitre or examine all the premises at one time, provided that he does not run any danger of being taken.

It should seem most advisable to begin at Arundel; so that, by returning along that coast, he might pass for English. As to the rest, I leave to the discretion of Mr. Dumont what steps or arrangements he may think necessary for him to take.

The objects which he must chiefly attend unto, and reconnoitre, are the different anchorings; for which end, he must measure the extent of those bays and waters, both as to length and breadth; he must find the soundings before these anchorings, and the distances from the landing-places, where the frigates or vessels of the enemy might be able to molest the flat-bottom'd boats employed in landing the forces, &c. in those waters. He must inform himself of the towns and ports next joining to those landing places, the capacity of those ports for containing the transports, and whether they can lie safe, and out of danger from the enemy, after the descent. He must also make himself acquainted with the roads, and the openings that lead or conduct from the sea side into the country; so as, if possible, to find the nature of the inland part thereof, whether it be marshy, meadow ground, arable, or common; whether it be plain or craggy; whether interrupted by rivulets, or covered with woods: in fine, let him procure the most exact description possible of the downs, the beaches, the forts, and the batteries (if any be) erected upon this coast. And after having taken the most exact account of these particulars, he must write them down immediately, and make a plan or map of the premises. When this shall be done, let him return to Boulogne, if he can; if not, to any other port, as far as Dieppe, comprehending Etapes, Estapes, St. Vallery, &c. If by chance he should fall into the hands of the English, he must be careful to throw his papers overboard, that the enemy may not discover the business upon which he has been sent.

Let

tions, which described the towns and places, with their proximity, and convenience, for debarking the French troops, and artillery, from the flat-bottomed boats, and likewise the said chart †: That your petitioner did not only, at the hazard of his life, secretly copy the said instructions and report, but also got the said chart privately copied, with intent to convey them to England, as soon as he could find an opportunity to lay them before your Majesty, to defeat the said formidable and dangerous enterprize.

That your petitioner being, in November 1761, put in prison—*par ordre du Roi*—where he remained four months, took the best precautions he could, to preserve the said papers, and was so fortunate as to get them effectually concealed.

That in February 1762, your petitioner having obtained his liberty, by the solicitations of a lady at court, arrived at the Hague in March following, and thereupon wrote to Sir Joseph Yorke, your Majesty's ambassador at that court, acquainting his excellency, that your petitioner had some intelligence and discoveries to make, of the greatest consequence to your Majesty's service, which were of such a nature, that he did not doubt, but your Majesty would, from your known royal bounty and generosity, and the great utility of such discoveries, grant unto your petitioner a reward adequate to the importance of such discoveries—discoveries, which would prevent an invasion of the enemy upon this your Majesty's kingdom, and not only save your Majesty's subjects at home from the calamities of a war, the fatal effects of which, when once kindled, might be of the most baneful influence, and spread desolation throughout these kingdoms, but also save many millions to this nation in support of a protracted war, and render the schemes of the French court in favour of the Pretender, with his views and hopes in that respect, for ever abortive; since the sum of 250,000*l.* was about the year 1727 granted by parliament to prevent an invasion which was only then threatened by Sweden; without mentioning the more immense sums expended to defeat the Pretender's descent in 1745, by which thousands were destroyed, and your Majesty's kingdoms filled with terror and confusion.

That, in answer to this representation, his excellency was pleased to do your petitioner the honour to write him a letter, wherein he says, your petitioner must not doubt of your Majesty's bounty and generosity, or of the liberality of your Majesty's ministers; and having transmitted such representation to the right honourable the earl of Bute, his lordship was pleased to order your petitioner to

Let him, above all things, know, that he must not run after glory or booty; his sole object is the knowledge of what is above commanded. True glory is, to perform the service with that diligence which the nature of the object requires. He is not to seek an enemy, but in every thing to follow exactly the orders of those, to whom the king has given these commands. Thus I leave entirely to captain Dumont to seize the favourable moment, and, in consequence of the orders which I have received by the letters of the count d'Herouville, we have given these instructions. Done at Boulogne, this 13th of September, 1759. (Signed) The Chevalier D'ARCY.

† Captain Dumont's report or answer to the said instructions. Translated from the French.

Parted from Boulogne the 20th of September, 1759. Arrived on the coast of England the 23d, and run from the point of Beachy-Head across the bay of Arundel, making course to the west: the anchorage is from one to ten fathom.

No. I. Between the point of Beachy and the Seven Ovens is a wall and a gate, with a large and spacious descent. The lands and interior parts are uncultivated, and in common amongst the inhabitants. There is a fine plain, very proper for conducting the artillery. Along the Seven Ovens the coast is high, and secured by a wall formed by nature: the lands are covered with heath.

No. II. At the point, on opening the Seven Ovens, is a creek a quarter of a league long, the coast of which is of flint stones. The lands here are uncultivated, and, by their declivity towards the sea, they discover themselves about two leagues. There is to be seen from this creek a great road that leads to Newhaven.

No. III. After having doubled a chain of rocks half a league in length, there is the bay of Newhaven, a league and a quarter long, the coast of which is covered with flint stones. There is no obstruction in this bay; one may here run ashore at any time. The town of Newhaven is a small port, not very commodious; yet one may find place here for seventy flat-bottomed boats.

No. IV. Six leagues farther from Newhaven is the town of Shoreham. Here is a creek of half a league; the coast of easy approach: the mountains are high, and inclose the entrance into the country. This bay is three leagues and a half from Newhaven, and two and a half from Shoreham.

No. V. Shoreham has a small port that will contain a hundred flat-bottomed boats. The bay is about two leagues long, the coast covered with gravel and flint stones. Here a great number of flat-bottomed boats may run on shore. The lands are in part cultivated, and in part common.

No. VI. Shoreham is separated from Arundel by a high land, at the opening of which is seen the bay of Arundel. This bay is very fine, and most favourable for a debarkment.

The enemy appeared, and the discoverer went away.

come

come over, and sent your petitioner one hundred pounds to defray the expences of bringing over a person from Paris —whom your petitioner had intrusted with his papers--- and also those of your petitioner's return to England.

That on the 5th of June 1762, your petitioner arrived at London, and soon after delivered his papers to the right honourable Mr. Grenville, then one of your Majesty's principal secretaries of state, and also had the honour to confer with the right honourable Mr. Weston, to whom, among several other particulars, your petitioner explained many things for your Majesty's service relative to the said intended invasion, the situation of the enemy and their designs, and that the French troops---including the Irish Brigade, and Scotch regiments, which had always made the campaigns in Germany from the commencement of the war to this time--- to the number of about 50,000 men, destined for the intended embarkation, were then marched down to the coast and towns adjacent, to be in readiness for making the descent that winter; and your petitioner, after he had made the aforesaid discoveries, was assured by the earl of Bute, at that time your Majesty's first minister of state, that your Majesty would generously and liberally reward your petitioner for his said important services.

That, by your petitioner's said discoveries, at the peril of his life and many sufferings, the said intended invasion has been defeated, the formidable designs of France in that respect frustrated, and the Pretender's hopes for ever blasted: nevertheless, your petitioner remains unrecompenced and unrewarded, by which he is reduced to great distress.

Your petitioner, therefore, with all humility supplicates your Majesty, that your Majesty will be graciously pleased to take the extreme hardship of his case into your royal consideration, and that your Majesty will, in your royal bounty, order such recompence or provision to be made for the relief of your petitioner--- under the pressure of extreme want---for his faithful and important services to your Majesty and the nation, as to your Majesty, in your royal goodness and clemency, shall seem meet; otherwise he must sink under the weight of misfortunes, which, daily accumulating by his distresses, can only finish with his days. And your petitioner, as in duty bound, shall ever pray, &c.

On the same day that Mr. Mac Allester sent the above letter and petition, he met Sir J-----h Y-----e in St. Martin's-lane. On entering into discourse---as there was another gentleman with him---he desired Sir J-----h to give him an hour some morning to wait on him to talk of his affairs, which he declined.

Mr. Mac Allester was greatly surprized at this behaviour, and next day wrote Sir J-----h the following letter.

Letter to Sir J-----h Y-----e, dated April 30, 1768.

S I R,

WHEN I had the honour of meeting you yesterday, I could not have imagined you would have declined given me an audience, some morning, to speak of my affairs, relating to my coming from the Hague on the business for which I was sent for; and in which I acquitted myself to the great satisfaction of the ministers, as they were pleased then to acknowledge; on which, negotiations were soon set on foot, and a peace concluded. I well remember, that, some months after I had made my discoveries, *a right honourable gentleman was pleased to say to me, that if ever there should be occasion, he would be a witness, for me, of their utility, and the service I had rendered.* This gentleman is still in being, and, I believe, there are others of that administration, who will do me the same justice, was I to apply to them for that purpose.

As your excellency was pleased to intimate to me, that you did not care to be troubled in this business, I must submit to it, and shall only say, that my maxim has ever been, and still shall be, not to give offence by my importunity, though I suffer in the event. I have the honour to be, Sir, &c.

By this behaviour in Sir J-----h Y-----e, Mac Allester immediately concluded, that he had received his lesson from lord B---, in case any application should be made to him by Mac Allester. The truth of the facts, which Mac Allester asserted, and the importance of the discoveries which he made, can be confirmed by Mr. Grenville, Mr. Weston, lord Halifax, and others; besides hundreds from Dunkirk, &c. where the troops were assembled, and the flat-bottomed boats prepared for the descent. Mr. Mac Allester will not say, as some commentators have said on this subject, that nothing but the cowardice and pusillanimity of lord B---, in making the ever-memorable peace, by which he gave up our conquests, prevented the French troops and boats from falling into our hands, by taking the proper measures for that purpose, as their destination was fully known to him by those discoveries, which he communicated, it may be presumed, to the king or the c---t c---l, on Mac Allester's depositing the papers with Mr. Grenville---though this may, perhaps, be an enquiry at another time in the proper place---but this he will say, that, in a conference which he had with Mr. Weston, under secretary of state in lord B---'s administration, he told that gentleman he expected to have seen troops marching towards the coast where the French intended to land, and Sir Edward Hawke as gloriously triumphant over their

their flat-bottomed boats, as he had formerly been over their formidable fleet off Brest.—But the Favourite—instead of taking the necessary steps for destroying this grand armament—being determined to accomplish his scheme of making a peace at all events, employed the S——n ambassador to assist in the negotiations, for which service he receives a pension of 1000*l.* per annum for thirty years, from the time of its being concluded.

To bring this matter to a conclusion, Mr. Mac Allester submits it to the judgment of the public, whether he should petition the house to be recompenced for those national and important services; as Scottish ministers will oppose his demand, tho' the justice thereof were recommended by Heaven itself.

Some time after the petition had been received by lord S——e, Mac Allester met Mr. S——n, his lordship's secretary, in the lobby of the house of commons, and talked with him on the subject of the petition. Mr. S——n said, he believed nothing would be done therein, unless it was recommended by lord B---; or unless lord B---, or some great man, would take it up; to which Mac Allester answered, that his lordship ought to do so: but, if he would not do it, facts and services of this nature, so well known and confirmed, required no recommendation.

In a few days after this interview, Mr. Mac Allester met Mr. J——n, and expostulated with him, on getting lord B---'s recommendation; but this formal gentleman, with the most important air of an affected concern, protested, that lord B--- had no more interest than that post---pointing to one, which stood in the ground just by him.

Next morning, Mac Allester met lord S——e coming out of his house, and having waited on him through a considerable part of Berkley-Square, he represented to his lordship, in the most pathetick manner he could, his said services, distresses, and lord B---'s promises. Lord S——e expressed himself as his secretary had done. At length Mac Allester begged his lordship to give him back his petition, if he would do nothing in it: which he promised to do. Next day Mac Allester wrote his lordship the following letter.

Letter to Lord S——e, dated the 18th of May, 1768.

My LORD,

I HAVE received the answer your lordship was pleased to give me, touching my petition to his Majesty, and shall trouble you no farther on that head, finding your lordship cannot serve me therein, and that the same influence which has hitherto oppressed me, still opposes the justice I might otherwise expect.

How ridiculous is it for a great man, in order to evade the performance of his promise, to alledge, that he does not meddle in publick affairs, that he can do nothing, and the like; when every one knows and sees the contrary. It is surely a vain attempt to persuade men out of their senses; and their senses, I am persuaded, they must totally lose, before they can believe such ill-founded assertions.

Happy, indeed, had it been for himself and the nation, if he never had meddled in publick affairs; since his own peace and safety are thereby disturbed, and the kingdom filled with distresses and distractions.

For my own part, I must apply where I am sure justice will be done me, and though I am at present robbed of the reward of my services, and of 200*l.* detained from me by a messenger §, under the secret power and authority of the most ungenerous and ungrateful man that ever breathed; who has increased his own fortune beyond common bounds, whilst he was starving others: I fear not, however, to have redress, and to see the day, when he who has thus wronged me, will repent, for not acting by me in a more honest and generous manner.

I have the honour to be, my lord, &c.

In an hour or two after his lordship had received this letter, he went out of town with one servant, as Mr. Mac Allester was informed at his house, and did not return till the next day. The same morning Mr. Mac Allester went to his house for the petition: his valet de chambre told him, that his lordship had gone out of town, and had left word, if he called for the petition, that he had left it with his secretary. Mac Allester having met the secretary, asked him for the petition, telling him what lord S——e's servant had said. He declared he had never seen the petition, or heard of it: on which, next morning, Mac Allester went, and, causing lord S——e to be informed thereof, again demanded the petition, but to no purpose. After three days continual application, lord S——e was pleased to order his gentleman to acquaint Mr. Mac Allester, that his lordship could not find the petition, but that he would look for it again, and send it, as he knew where Mac Allester lived; which, as yet, he has not done.

----- *Ibi omnis*
Effusus labor -----

§ One W—t—n.

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T H E

N O R T H B R I T O N.

N U M B E R LVII.

To be continued every *Saturday*. Price Two-pence Halfpenny.

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Non Ego.

HORACE.

S A T U R D A Y, J U L Y 16, 1768.

To the N O R T H B R I T O N.

S I R,

I Cannot, for my own part, believe the report, which is now so very current, that a speech, which lately made its appearance in all the news-papers, was delivered, in *a certain place*, by *a certain great lawyer and orator*. I should rather imagine it to be, at least in many parts, the production of one of your *short-hand men*, as they are called; who regularly attend all courts of justice, and *take down*, as they phrase it, the substance of what is said by some eminent speaker; and then interlarding it with reflections of their own, usher it into the world under the pompous title of *the speech of my Lord such-a-one, or Mr. such-a-one*.

I will, indeed, admit, that the speech in question *does*, or rather *may*, contain *some of the sentiments* uttered by the person to whom it is attributed; but I cannot, by any means, persuade myself to think, that *every sentiment* contained in it was actually uttered by *that celebrated lawyer*.

I shall, therefore, consider this speech not as the speech of the *lawyer*, but of the *short-hand man*; and this, I hope, I may do with as much propriety, and, I flatter myself, with still more safety, than *Mr. Wilkes* considered the King's speech as the speech of the Minister. Viewing it, therefore, in this light, I shall proceed to make a few remarks upon those parts of it, which appear to me the most exceptionable; and which, I am fully satisfied in my own mind, could never come from the mouth of the *learned lawyer*, but must be the absurd interpolations of the *ignorant copyer*.

And the first passage I would beg leave to examine, is that where he says, *that if insurrection and rebellion are to follow our determination,*

tion, we have not to answer for the consequences, though we should be the innocent cause. We can only say, FIAT JUSTITIA, ET RUAT COELUM. Good G—d! Sir, what could suggest to this stupid Copyer, upon this occasion, the idea of *rebellion*? Well may I exclaim, in the words of Sallust; *Jampridem, equidem, vera nomina rerum amisimus*: We seem now, in fact, to have lost the true names of things. Is every little tumult of the people, every little riotous assembly, to be branded with the odious and dreadful epithet of *rebellion*? If it is, I will venture to affirm, that there have been, I do not say one, but twenty different rebellions in England within these four months; and that there has not passed a single year in this kingdom since the Revolution without a rebellion. This conclusion, however, will, I dare say, sound strange in the ears of my countrymen, who can only remember two rebellions within that period; and we all know from what quarter these rebellions proceeded: for I take no notice here of the petty rebellion of 1719, which seems now, in truth, to be entirely forgotten.

I shrewdly suspect *this same Copyer* to be some bigotted Jacobite, who, in order to lessen the odium, generally and justly annexed to the term *rebellion*, would distinguish, by the same name, every little rising of the people: as if, forsooth, every little popular tumult, every irregular attempt which the people may make towards redressing their own grievances, were to be considered as a crime as atrocious in itself, and as destructive to society, as a deep-laid and well-concerted scheme, supported by an armed force, to dethrone the reigning prince, or overturn the constitution. But whatever may be the opinion of this ignorant or artful Copyer, the people of England always have taken, and, while they remain a free people, they always will take, the liberty of redressing their own grievances, when these are not redressed by their rulers; and still more when they are brought upon them by their rulers: and they will leave *this Jacobite and his loyal fraternity* to pursue their old trade of *forming conspiracies and raising rebellions*.

I know, that, according to some ancient laws, every one that wilfully violated the law, was called a rebel; but these laws, I believe, are now grown obsolete: and, besides, in my present reasoning, I have no regard to the quirks and quibbles of the law, which are often more apt to confound, than to inform the judgment. I address myself to the common-sense and understanding of mankind; and I will cheerfully submit it to the impartial decision of every candid and unprejudiced person, whether any outrage, which the people have lately committed, or are likely soon to commit, can, with any propriety of expression, or appearance of truth, be denominated *rebellion*. *Rebellion* I would define to be a number of disaffected persons, who have taken up arms, with a determined resolution to depose the reigning prince, or destroy the constitution. But have the people of England taken up arms? Have they formed, or is there any probability of their soon forming, a resolution to depose the reigning prince, or destroy the constitution? Blush, thou ignorant and impudent impostor!—if thou art yet capable of blushing—at thy gross abuse of words, at thy shameful prevarication; and learn, for the future, to make thyself alone responsible for thy absurdities, and not to father them,

them, as thou hast here done, upon a reverend judge, and learned lawyer. Call the rising of the people a mob, a tumult, a riot—any thing but a rebellion: for, with all thy artifice and address, thou wilt never be able to persuade the public, that it is actually a rebellion.

The truth is, those who are now so forward to accuse the people of rebellion, are the very persons, or, at least, the descendants of the persons, who were formerly engaged in rebellion; and would willingly engage in it again, if a favourable opportunity should offer. Those who are now so clamorous for the support of government, as they term it—that is, for defending the ministry in all their arbitrary and illegal measures—are the very persons, who formerly endeavoured to subvert the government. Strange and unaccountable conduct this! But, however strange, it is not difficult to discover their motive for pursuing such conduct. They want, if possible, to render the present family as odious as that which went before it; and thus to pave the way for the accomplishment of their grand, their favourite, their darling design; or, if that should be impossible, they would still have the present family to be absolute and despotic. Their narrow souls can frame no other idea of government, than that of master and servant, of tyrant and slave, of peremptory command and implicit obedience. Besides, they think, that, in such a government, they themselves would have the best chance of being employed. Conscious of their own base and grovelling dispositions, they think they are better qualified, than men of bold and generous spirits, for filling all places of trust and profit under a tyrant. I doubt not, indeed, but they form a very proper judgment of themselves; for they have certainly the best opportunities to know their own temper and character. But I believe they form a very improper judgment of our present amiable and august sovereign, who would reject, with indignation, the offers of their service: and who would rather be the limited monarch of a brave, free, wealthy, and loyal people, though sometimes guilty of a few acts of licentiousness, than the absolute despot of a set of poor, wretched, and despicable slaves, who dare not complain, though groaning under the most intolerable oppression.

Let these Jacobites, therefore, these high-flying Tories; these men, who, having been rebels themselves, or who being the descendants of rebels, would willingly involve the loyal people of England in the same kind of guilt; these men, who, inveterate enemies to our free government, are strenuous advocates for the late arbitrary measures of the ministry: let all men, I say, of this motley character—and, God knows, there are but too many men of this motley character—confine their principles and their prejudices within the circle of their own acquaintance: let them not presume to avow them in public; and still less let them dare to assert in print, as this ignorant *Copyer* hath falsely asserted, that the people of England have been guilty, or are likely to be guilty, of the horrid crime of rebellion.

I come now to consider the second part of this paragraph, which is, if possible, still more absurd than the first. FIAT JUSTITIA, ET RUAT COELUM; or, as it is more commonly expressed, FIAT JUSTITIA, ET PEREAT MUNDUS: that is, *let justice be done,*

done, though chaos should return, though the world should be destroyed. Admirable idea of justice, truly, *Mr. Copyer*! In good faith, Sir, if this be your idea of justice, I would never wish to be the subject of a government, where you was one of the dispensers of justice; and if such be your idea of justice at present, I think you are much fitter for a cell in Bedlam, than for taking down speeches, in short-hand, in a court of justice. The chief, nay, the sole intention of justice, I had always imagined to be to prevent chaos from returning, or the world from being destroyed. This, at least, I know, is the definition given of justice by all the best philosophers and civilians, who have written on the subject. I will only produce one authority, which, whatever weight it may have with this illiterate *Mr. Copyer*, will, I dare say, prove decisive with the learned *lawyer*, whose name he hath assumed, and into whose mouth he has put his own ridiculous assertions. 'Tis that of *David Hume, Esq*; who has composed a dissertation expressly on this topic; in which he proves, beyond the possibility of a doubt, *that the usefulness of justice to society, or its tendency to promote the happiness and welfare of mankind, is the sole foundation of the merit of that virtue* *. But could any act of justice, that should be attended with *the return of chaos, or the destruction of the world*, be said to be *useful to society, or calculated to promote the happiness and welfare of mankind*? The question is too absurd to deserve a serious answer.

Nor is this the case with justice alone: 'tis likewise the case with fidelity, truth, integrity, and with most of the other virtues. That it is actually the case with truth, will appear evidently from the following instance: Suppose I were standing at Charing-Cross, and saw an assassin, with a dagger in his hand, pursuing a man with a manifest intention to take away his life; and suppose, upon their coming to the spot where I stood, the assassin, losing sight of his intended victim, should ask me, which way he took? Whether down Parliament-Street, or up St. Martin's-Lane? What answer, do you think, I would, in such a case, give? Would I, from a blind and superstitious regard to truth, inform the assassin of the *real road* which the unhappy man took, and thereby contribute to the commission of murder? No, Sir, I would *lie*; and, I speak it without fear of censure, I would *LIE VIRTUOUSLY* too: I would set the assassin upon a *wrong scent*, and thereby do all that lay in my power to save the life of a fellow-creature.

In like manner, were I a magistrate, and were it proposed to me to perform an act of justice, that was to be attended with the return of chaos, or the destruction of the world, or even with a much less evil; would I perform it, do you think? No, Sir, I would *not* perform it: I would not even allow it to be *an act of justice*: I would esteem and call it *an act of injustice*; and would reject it as such, with the utmost indignation. And were I to behave otherwise, I should look upon myself as totally unqualified not only for the office of a L—d Ch—f J—e, but even for that of a tipstaff or bumbailiff. Such arrant nonsense has this wretched Copyer put into the mouth of one of the most learned and eminent lawyers in the kingdom!

I know it will be said, that this reasoning, however conclusive
against

* Hume's Essays, 4to Edition, p. 408, &c.

against the general maxim, which I have been endeavouring to overthrow, will never yet apply to the particular case of Mr. Wilkes; for that that gentleman having been found guilty by a jury, the j——s were obliged, by their oaths, to declare the law, and to pass sentence upon him. The truth of this assertion I do not deny; nor do I pretend to say, that the sentence, passed upon him, is either unjust or unlawful. But this I will say, that, were I a student of law, so conscious am I of my own weak abilities, and of my utter incapacity for making metaphysical distinctions, that I should not choose to have the following *thesis* prescribed to me by way of exercise: viz. *That a fine of two hundred pounds and two months imprisonment would not be as much LAW, and as much JUSTICE, as a fine of a thousand pounds and two years imprisonment.*

The next part of this curious harangue, upon which I shall take the liberty of making some animadversions, is that where it is said, “But the threats have been carried farther: personal violence has been denounced, unless public humour be complied with.” Now, Sir, I call upon *this seditious Copyer* to declare where personal violence has been denounced. Has it been in the private anonymous letters, sent to the *lawyer*, whose speech he would fain persuade the world this paltry production to be? But the lawyer or the Copyer says, that these letters he passes over in silence. Where, then, in G—d’s name, has this personal violence been denounced? I have not, for my own part, read all the papers and pamphlets, that have been written upon this subject. But I will tell this ignorant Copyer, where personal violence has *not* been denounced. It has *not* been denounced, nor even the most distant hint given of any such outrage being intended, in your celebrated papers number 50 and 51, which have procured your publisher the *honour* of living, for these six weeks past, in *Newgate*. And, for the truth of what I affirm, I appeal to every person, who has perused these papers with the least degree of attention.

This factious Copyer goes on, and says, “But if such event—
“ meaning the commission of personal violence—should happen,
“ let it be so: even such an event might be productive of whole-
“ some effects: such a stroke might rouse the better part of the na-
“ tion from their lethargic condition to a state of activity, to assert
“ and execute the law, and punish the daring and impious hands
“ which had violated it; and those who now supinely behold the
“ danger which threatens all liberty from the most abandoned
“ licentiousness, might, by such an event, be awakened to a
“ sense of their situation, as drunken men are oftentimes stunn’d
“ into sobriety.” Is not this an inflammatory paper? Is not this a seditious libel? Is it not plainly *sounding the trumpet of civil war*, and advising one part of the community to rise against the other, and both to go by the ears? No, no, Mr. Copyer, there is not, thank God! any need of such an unusual expedient. The m-l-t-ry are always ready to execute the *pious* and *patriotic* work of destroying one part, or both parts, of the people. A S——y of S——e is always ready to issue the orders from above: a J——e of the P——e is always ready to execute these orders; and though one of this class, but a few days ago, very narrowly escaped the h-l-t-r for his ready compliance, we need not despair of finding others possessed of the same share of *passive*, or rather *active obedience*: and,
after

after the work is fully compleated, a S——y at W——r is always at hand to thank the troops for performing their *duty* with so much *alacrity*. Let the farmer, therefore, not think of reversing the prophecy of Ifaiah, by turning his plough-share into a sword, and his pruning-hook into a spear. Let the blacksmith employ his hammer in beating out bars of iron, rather than in beating out the brains of his fellow-subjects; and the taylor use his bodkin in ripping up old cloaths, rather than in ripping up the bellies of his neighbours and acquaintance. In a word, let all men follow their usual occupations; and whenever it suits the humour, or interest, or convenience of our M——rs, to dispatch a few of his Majesty's liege subjects, the third regiment is always ready, at a nod, to perform the work with the utmost alacrity.

This pityful Copyer further says, "That liberty is in danger from the most abandoned licentiousness:" but I, for my own part, think, that liberty is in much greater danger from the most barefaced tyranny. Tyranny, among a free people, is always the parent of licentiousness; and I must frankly confess, that I dread the parent much more than the child. Recollect, *Mr. Copyer*, all the acts of tyranny and despotism, which, for these six years past, the m-n-stry have committed; and then lay your hand upon your heart, and say, whether they have not given occasion to all the licentiousness, which at present prevails in the kingdom, and which, however, is not near so great, as your fears, real or affected, would seem to represent it.

This *silly Copyer* proceeds: "If," says he, "the security of our persons and our property, of all we hold dear and valuable, are to depend upon the caprice of a giddy multitude, or to be at the disposal of a giddy mob."—Excellent! *Mr. Copyer*: the true court-language over again! The giddy mob! the giddy multitude! the dirty canaille! the stupid herd! the scum of the earth! the dregs of the people! the beasts of burden! the vile, worthless, despicable populace! such are the *polite* and *honourable* appellations, with which their ministers, that is their servants, address the whole body of the English nation, themselves, and their creatures, and dependents excepted. But, in good faith, *Mr. Copyer*, this is rather imprudent, not to say worse; for many a man, who can patiently bear to have his pocket picked, and even his freedom abridged, cannot yet endure to be abused and insulted with scurrilous language. Give us but good words, and you do not know what liberties you may take with us: give us but good words, and you do not know but the Freeholders of Middlesex, who, according to your definition, must certainly be the most vile and giddy of this giddy mob, may be induced to choose a representative recommended by the ministry.

But the concluding sentence is the the best of all: "If," adds he, "in compliance with the humours, and to appease the clamours of those—that is, of the giddy multitude—all civil and political institutions are to be disregarded or overthrown, a life somewhat more than sixty is not worth preserving at such a price; and he can never die too soon, who lays down his life in support and vindication of the policy, the government, and the constitution of his country." This impudent *Copyer* has laboured,

laboured, throughout, to render the learned *Lawyer* perfectly ridiculous; and now he seems, in fact, to have fully attained his end. For, what can be more ridiculous than to represent a venerable personage as bewailing, with piteous moanings, the imminent danger, to which his life is exposed, and his willingness to lay down that life in support of the constitution of his country; when I never heard, and, I dare say, no one ever heard, of his being in the least danger of his losing a hair of his head, or, if you will, of his wig?

There are, I know, some persons, who suspect, that the Copyer has, in this passage, a more concealed meaning, a more wicked design; and that his intention was, not so much to expose the folly, as to detect the cunning of the Lawyer; and that, therefore, he insinuates, that the Lawyer, conscious of the *hatred* he had incurred by some late measures, was willing to counterbalance it the contrary feeling of *pity*; and, with that view, endeavoured to excite the compassion of the public, by mentioning his great age, the danger that threatens his life, and his readiness to die a martyr for the constitution of his country. But whatever be in this, I must freely give it as my opinion, that this harangue is a most gross imposition upon the public, and a most daring insult offered to the Lawyer, to whom it is attributed; and that if the Lawyer should take no steps to disavow its authenticity, it can only be ascribed to that conscious rectitude of heart and unshaken firmness of mind, which induce him to look down, with the utmost scorn, upon every attempt to detract from his fame or burlesque his character.

The following letter I shall lay before the Public, in the very words in which I received it. I shall make no comment upon it; and for this good reason, that, I dare say, every sensible reader will be before-hand with me in making his own.

TO THE NORTH BRITON.

S I R,

HAVING been, for some time past, in the country, it was not till of late that I saw an article in the news-papers, at which, I must own, I was greatly astonished. This was a letter, signed A SCOTCHMAN, said to be sent to Mr. Morley, Book and Printseller in St. Clement's Church-yard, threatening death to him and destruction to his family, if he did not desist from exposing any prints for sale, in which the Scotch might happen to be introduced, or alluded to.

As I thought such a letter of a very dangerous nature, I concluded application would be made to the Secretary of State, for its being inserted in the Gazette, as usual on such occasions; but not meeting with it in either of the three subsequent Gazettes, published during my stay in the country, I could not help, on my return home, calling on Morley (with whom I have had some little dealings ever since he came into this neighbourhood) in order to know the reason. He immediately informed me, that it was not owing to any neglect of his; for that he had done every thing in the matter that lay in his power; and, indeed, that the affair

had

had made his wife and family very unhappy.—That he had, the day, or the day after, he received the letter, applied to Sir John Fielding, for his advice and assistance, in order to trace the author; but that, as Sir John's advice ended in recommending it to him to take down his prints (which would be giving up one branch of his proper business) he did not follow it: and the rather, as he was persuaded by the trade, that, if he acted in that manner, they must, all of them, expect the same usage.—That, a day or two after this, he was advised, by some of his friends, to make the letter public; and this was no sooner done, than he found himself universally blamed for not applying to the Secretary of State.

With regard to this circumstance, he informs me, that, so long ago as the 24th of June, he took a friend with him, and went to the Secretary's office at Whitehall.

The clerk who received the letter from him, after two or three trifling remarks, promised, that he would lay it before the Secretary; and that, if it was not ordered to be printed, he would be responsible for its return, and desired he would call again in a few days. Accordingly, he waited till the first instant before he went again; when he took the same friend with him, to be witness of what passed, and to hear the answer that might be given him.—That, after their waiting a few minutes in the office, the clerk who first received his letter, entered, and returned it to him, with this concise answer, *That he had laid it before the Secretary, but that nothing could be done with it.* This, Morley says, was his expression, as near as he can recollect.—On his friend's beginning to expostulate with the clerk on the occasion, he cut him short, with observing, *that he had done his duty*; and, as the letter was ordered to be returned, the papers were open, and Morley might advertize a reward himself†.

Now, Sir, if this is not partiality, I don't know what is. I will only further observe, that, with regard to the prints in question, I don't find that Morley has made himself at all particular in that respect. He publishes none himself, but purchases them, as he does most other prints, particularly in the humorous way, as they come out, and never attends to the subject, whether it be *pro* or *con*.

Besides, to my own knowledge, they are to be seen, more or less, in almost all the print-shops in London and Westminster. Why, then, is one man (with a wife and three or four children) to be thus singled out for destruction, and not the usual encouragement given to detect the villain who threatens him with it!

I am, Sir, your most humble servant,

J. W.

† My publisher informs me, that he sent for Mr. MORLEY, (for he could not conveniently go to him) and shewed him this letter; and Mr. MORLEY declared he was ready to make oath, that every circumstance contained in it was founded in fact.

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To the N O R T H B R I T O N .

S I R ,

By inserting the following dialogue in your spirited and patriotic paper, you will confer an obligation upon many of your readers, and particularly upon Yours, &c. E. B.

A Dialogue between a Courtier and a Freeholder of Middlesex, on the approaching election of a new representative for that county.

C O U R T I E R A N D F R E E H O L D E R .

C. **A**ND so, Sir, you and your brother-freeholders, it seems, are going to *offer a fresh insult to the court*, by choosing, for one of your representatives in parliament, *Mr. Serjeant Glynn*; a man, if possible, still more obnoxious to the ministry, than even *Mr. Wilkes*.

F. I believe, Sir, you are very right in your conjecture, that we are going to choose *Mr. Serjeant Glynn* for one of our representatives in parliament; but if you think we thereby *MEAN to offer an insult to the court*, you are greatly mistaken. If, indeed, the maintaining and exercising, in its full force, our legal and constitutional privilege of choosing whomsoever we please for our representatives in parliament, without the least regard to the humour of the ministry, be *offering an insult to the court*, I will not say that we always have *offered*, but I hope, for the future, we always *shall offer an insult to the court*; though, I must own, I should be sorry to see the court breathe such a spirit, as to consider the exercise of this privilege as an insult offered to it. When ever the court begins to be jealous of the *privileges of the people*, 'tis high time for the people to be jealous of the *designs of the court*.

C. So, you look upon a man's being obnoxious to the court as no solid objection against his being a proper person to be chosen a member of parliament?

F. So far from it, Sir, that, next to abilities and integrity, I look upon this very circumstance as one of the strongest recommendations,

mendations, which any man can have, to be chosen a member of parliament.

C. I should be glad, Sir, to hear your reason.

F. You shall hear it, Sir; and it is founded in the very nature of the English constitution, with which you, and too many, I'm afraid, of your kidney, are but very little acquainted. The English government is neither a monarchy, nor an aristocracy, nor a democracy; but is a mixed government, compounded of all these. And each of these constituent parts is intended to be a perpetual check and restraint upon the others. Now, Sir, the more obnoxious these are to one another, are they not likely, for that very reason, to prove more strong and effectual checks. Take it for granted, Sir, that, the moment there are no members in the lower house obnoxious to the court, the moment there is no opposition given, by the commons, to the measures of the ministry; take it for granted, I say, that, from that very moment, the liberties of England are entirely extinguished. How nearly that was the case during the late venal parliament, which did and undid, said and unsaid, made and unmade laws, just as it was directed by the ministry, I leave to the decision of every one, who remembers its proceedings. All men, and all bodies of men, are naturally fond of power. Give the king his will—I mean some kings; for, as to our present amiable sovereign, I believe, he is best satisfied with his limited condition—I say, give the king his will; and he would convert our free government into an absolute monarchy: give the lords their will, and they would convert it into an aristocracy: and give the commons their will, and they, perhaps, would convert it into a pure republic. But none of these can ever have their will, while their designs and projects are so narrowly watched and so vigorously opposed by the others; and the more narrowly they are watched, and the more vigorously they are opposed, so much the better for the public: for the perfection of our free government arises from the jealousy that subsists among the different parts of which it is constituted. Besides, Sir, all courts—and our own, perhaps, as much as any other—are naturally inclined to extend their power beyond the bounds prescribed by the constitution. The house of commons, therefore, in this kingdom, is expressly designed as a necessary barrier against the power of the crown; and to defend, from its encroachments, the life, the liberty, and property of the subject. Hence it follows, that the more jealous the commons are of the designs of the court, and the more obnoxious to its creatures and dependents, the more likely are they to discharge, with fidelity, the trust committed to them. And to say, that a man's being obnoxious to the court, is a sufficient reason against his being a member of parliament, is as great an absurdity, as it would be to say—according to the strong, though somewhat coarse, comparison of a celebrated writer—that your dog's being obnoxious to wolves and foxes, is a sufficient reason against your appointing them to guard your sheep-fold and hen-roost.

C. But what, Sir, should make you so very jealous of the power of the crown, particularly at this juncture? Is it greater now than it was half a century ago? And, yet, I do not believe there has been such a violent struggle about the election of members of parliament since the accession of the Brunswick family.

F. Yes,

F. Yes, Sir, it is greater now, not only than it was half a century ago, but even than it was twenty years ago; and this, I think, I can prove, to the conviction of every unprejudiced person. The power of the crown arises chiefly from its being intrusted with the management of the public revenue. Now if it should appear, that the public revenue, or annual supply, is double, nay triple of what it was twenty years ago, I hope you will allow, that the power of the crown is, in *one sense*, and that too a *material one*, proportionably increased. But that this is really the case, will be evident to any one who will take the trouble of consulting any register of the times, where he will find, that, so late as the year 1752, the public revenue, or annual supply, very little exceeded more than two millions sterling; whereas now it amounts to between seven and eight millions; an *amazing difference*, and which will be productive, no doubt, of very *amazing effects*! For, the management of this sum annually, in the hands of an artful and ambitious minister, is more than sufficient to overturn, from their basis, the liberties of the nation. I think I have heard it computed, that the whole current specie of the kingdom does not exceed thirty millions sterling; so that here is between one fourth and one fifth of the current specie of the kingdom annually devoured by the court. The truth is, Sir, the court is now become a mighty vortex, or whirlpool, which draws every thing towards its centre, is daily enlarging its sphere of attraction, and, if not checked, will soon enlarge it to the utmost extremities of the island. *Illic cuncta vergere: every thing tends towards the court.* It has, by means of its immense revenue, created to itself such a mighty dependence, that almost every man you meet is either a placeman, or expecting to be a placeman; and, in a little time, it would appear, we shall be wholly a nation of placemen and slaves. Regardless, entirely, of the interest of the nation, every one is eager to share in its plunder; and the public now exactly resembles a ship in a storm, where the mariners, indifferent about the safety of the vessel, or the safety of the passengers, are solely intent upon preserving their own lives, and securing to themselves as much of the *wreck* as they can. Nor think, Sir, that the picture I have here drawn, is the effect of a distempered brain, or warm imagination. It has been drawn, and in much stronger colours, by men of the coolest heads and of the soundest judgments. It has been frequently and justly said, that the nation must either destroy its public debts, or its public debts will destroy the nation: though, whether this our national destruction will terminate in domestic slavery, or in foreign conquest, it is impossible for any one, with certainty, to foretel; but that it will terminate either in the one or the other, it requires no great depth of political sagacity to foresee. The increase of our public debts, and the consequent increase of the power of the crown, will naturally increase the murmurs of the people. These murmurs will furnish a pretext, and indeed perhaps create a necessity, for encreasing the army. The increase of the army will still further augment the murmurs of the people. And when matters come to extremity, as by this way of proceeding they very soon must, the army, if attached to the court, will either assist in rivetting the chains about the necks of their reluctant countrymen; or, if dissatisfied with the court, they will perhaps join the people, and thus involve every thing in anarchy

anarchy and confusion. And, thus weakened by our intestine broils, dispirited by our preceding sufferings, without money, without council, and without conduct, we shall at once fall an easy prey to the first bold invader. And we need not doubt but our good neighbours, the French, will narrowly watch the critical period; which I sincerely pray may yet be at a great distance; though, after all, perhaps, it may be much nearer, than you or I or most men imagine.

C. I own, Sir, you have drawn a most shocking picture; and were I convinced, that either of the calamities, which you have represented in such lively colours, were ever to befall my native country; whatever opinion you may entertain of the *patriotism* of a *Courtier*, I would instantly renounce my connections with the court, and espouse, most zealously, the interest of the people. But, how, let me ask you, can these calamities be either prevented or retarded by choosing a man who is obnoxious to the court, for one of your representatives?

F. I can hardly, Sir, believe you to be serious in asking this question. Do you not perceive, that a man, who is obnoxious to the court, is most likely to oppose its designs? And will it not be ever the design of the court, as it is manifestly its interest, to encrease the national debt, as it thereby encreases its own power and influence?

C. But, I hope, Sir, you do not found *Mr. Serjeant Glynn's* merit merely upon his being obnoxious to the court. I would fain think that he hath some other recommendations, to intitle him to the favour of the freeholders of Middlesex.

F. Yes, Sir, he hath other recommendations—the noblest recommendations which any man can have—the recommendation of having stood forth—gallantly stood forth—in defence of the violated rights and privileges of his fellow-subjects; and this he has done at the imminent hazard, nay, with the certain prospect, of offending the court and all its numerous adherents. The truth is, Sir, *Mr. Glynn's* MERIT with the people forms his DEMERIT with the court. He hath defended the liberties of the people; and therefore he is esteemed and supported by the people: he hath defended the liberties of the people; and therefore he is hated and opposed by the court: an admirable specimen of the spirit of the court truly! Shall it, therefore, be said, that a man, who, by his zeal in maintaining our privileges, hath incurred the displeasure of the ministry, was deserted by us in the day of trial? No, Sir, we never did, and, I hope, we never shall bring upon ourselves such a black, such a disgraceful imputation. Let the m——y, therefore, reserve to themselves their thousands and their ten thousands, which they talked of expending for the *saving* of this county. We will not be *saved* in their manner. Their *salvation* we consider as the deepest *perdition*. We will have none of their money; because we know it is our own: we will have none of their money; because we know they cannot spare it. Let them first discharge, if they are able to discharge, the present arrears of the civil list, before they dare to think of contracting any new ones. And as we will have none of their money for the choosing of a member, so neither will we have a member of their recommending. Let them send down, as usual, their *conge d'elire* to the venal p— of Scotland, and to the beggarly burghers of Cornwall; but let them not presume to usurp the same authority over the independent freeholders of the first county

county in the kingdom. We will choose a member, who is no placeman, nor recommended by placemen, nor is likely to become a placeman; but who, we frankly avow it, is intended to be a spy upon all sorts of placemen: nor, till the number of placemen is reduced in the lower h——, shall we ever think the deliberations of that assembly free; nor, till the number of placemen is reduced in the whole kingdom, shall we ever consider our liberties but as in a state of the most imminent danger.

C. I suppose, then, a place-bill will be one of the first measures which you will recommend to your new members.

F. It will, Sir, if I and my acquaintance can possibly carry our point.

C. But if you should be able to carry your point among your brother-freeholders, will you be able, do ye think, to carry it in parliament? Will the very persons, who enjoy places, or expect to enjoy places, be so foolish as to exclude themselves from such lucrative appointments?

F. I have, Sir, a better opinion, than you seem to have, of the *present patriotic parliament*: and, if any *future parliament* should be so lost to all sense of shame, of honour, and of justice, and to all kind of regard for the interest of the public, in which their own *true* interest is most certainly involved, as to oppose such a measure; let them remember, that the spirit of the nation has sometimes become too high, to be resisted even by the p——, witness the passing of two former Place-bills, the rejecting of the Excise-scheme, and the repealing of the Jew-bill, the Cyder-act, &c.

C. I suppose, Sir, when you talked of *Mr. Serjeant Glynn's* having stood forth in defence of the liberties of the subject, you alluded to his conduct in the affair of Mr. Wilkes. Now, Sir, for my own part, I cannot perceive what merit he can claim from his behaviour in that matter. He undertook to manage Mr. Wilkes's cause, and he has managed it like an honest and an able lawyer. Would not any other lawyer, in the same circumstances, have acted in the same manner?

F. No, Sir, not one lawyer in twenty, nay, not one lawyer in forty, would have undertaken the management of his cause at all. When the crown is *sincerely* the prosecutor, few lawyers will be bold enough, by appearing against it, to hazard its displeasure; and the lawyer, who will be bold enough to hazard its displeasure in defence of the liberties of his country, deserves every applause, and every reward, which his grateful country can bestow upon him. Such is Mr. Serjeant Glynn's merit! such is the applause he already hath received! and such is the reward, which, I hope, he will soon receive from the independent freeholders of the county of Middlesex. The crown is prosecutor in a thousand causes, about the issue of which it is perfectly indifferent. The crown was prosecutor—that is, by the laws of the land it was *obliged* to be prosecutor—in the cause of *justice Gillam*. But, with what *sincerity* it discharged its *duty* on that memorable occasion, the behaviour of the Attorney and Solicitor-General will for ever bear witness. But the affair of Mr. Wilkes was a cause, upon which the c——n had set its heart; and which it was determined, if possible, to carry against the defendant. And, therefore, no lawyer, who had not patriotism
enough

enough to prefer the preservation of his country's liberty to the *smiles of a court*; no lawyer, who had not courage enough to *despise the frowns of a court*, when engaged in supporting the rights of his fellow-subjects; no lawyer, I say, but one of this admirable character, was likely to undertake the defence of Mr. Wilkes's cause: and as Mr. Glynn has undertaken, and conducted it throughout, with equal zeal and ability, he hath certainly a just claim to every kind of merit, which such public-spirited behaviour can confer upon him. Nor is it the court of St. J——s's alone, that has this dangerous influence over the generality of lawyers. The court of K——s-B——h has a proportionably dangerous influence. Ask Mr. *Bingley*, in NEW-GATE, whether this is not the case; and whether, if every lawyer had performed his duty with as much intrepidity as Mr. Serjeant Glynn, he would not, before this, have been restored to his liberty, and not left unjustly to languish, for these six weeks, in the most filthy, most unhealthful, and most noisome prison in the kingdom.

C. But, what say you to your old member, Sir William Beauchamp Proctor? He has, you see, again offered himself a candidate. He has had the honour, he tells you, of representing you in the three last parliaments; and, if you have nothing material to object to his conduct during that period, he, no doubt, thinks he has some kind of title to represent you once more in the present parliament.

F. No, Sir; I am so far from looking upon Sir William's having represented us in the three last parliaments, as any reason why he should represent us in the present parliament, that I look upon it as a sufficient reason why he should *not* represent us. Twenty years is too long a time to be spent in doing *nothing*, or, perhaps, *worse than nothing*. I do not ask what *good* Sir William has *done* during the three last parliaments; because I question much if he has *done any*: but I should be glad to be informed what *evil* he hath *not done*. I should be glad to see an account, of the manner in which he hath voted in all the important debates that have come before the house during the time he sat there; and if it should appear—as I'm afraid it would appear—that, in all struggles between the power of the crown and the liberty of the subject, he hath, in general, voted on the side of the ministry, I shall leave every reader to draw the conclusion. Besides, Sir, will you pretend to say, that Sir William is not at present supported by the ministry? For, to what other purpose, but to serve his interest, have the ministry delayed issuing a writ for Middlesex, while, it is well known, they have issued writs for all the other vacant counties and boroughs in the kingdom? Add to this, Sir, that we are no strangers to their secret design of setting up two or three other candidates; with this artful view, that, after each of them has got a certain number of votes, amounting, in the whole, to more than half the electors, they may then lay their heads together, and thus *jockey* the county. But let them reserve these tricks for their Newmarket-races. The freeholders of Middlesex, I hope, are too wise to be caught in such a snare.

T H E

N O R T H B R I T O N.

N U M B E R LIX.

To be continued every *Saturday*. Price Two-pence Halfpenny.

*Fortes creantur fortibus & bonis:
Est in juvenis, est in equis patrum
Virtus, nec imbellem feroces
Progenerant Aquilæ Columbæ.*

HORACE.

S A T U R D A Y, J U L Y 30, 1768.

A Letter from the right honourable *Robert Harley*, the first earl of *Oxford* of that name, in the shades, to his great-grand-nephew, the present L—d M—r of London.

My dear great grand-nephew,

FOR such you are, and such I will ever esteem and call you, notwithstanding the insidious attempts of ignorant newspapers'-essayists, and of still more ignorant reviewers, to deprive you of the honour of being descended from such a stock, or such a stock of the honour of having produced such a descendant. And, indeed, had you changed your name—as many a worthy man has—your principles and your practices would still have discovered the *true Tory origin*, from which you are sprung. You possess, and—I speak it with equal pride and pleasure—you possess, in an eminent degree, the *true Tory, high-flying, Jacobite principles*, which so signally distinguished the first of your family that raised it to the peerage.

True it is, that our family—for our family is not of yesterday—was formerly remarkable for its *whiggish* and even its *presbyterian principles*; and it was upon the strength of *these principles*, that I first mounted into power and office. But, after I had reached the height of my ambition, I very wisely kicked down the ladder, by which I had ascended; for after you have gained the summit of the house, of what farther use can a ladder be? I will, indeed, acknowledge that this wise—as I then thought, and still think it; but, as others were pleased to say, this ungrateful—conduct had well nigh obliged me, in a little time after, to ascend *another ladder*, more real, and not quite so agreeable, and appear upon a *stage*, very different from that which I had hitherto trod; where, instead of having my head adorned with a coronet, I should certainly have had it severed from my body. But, thanks to the folly or lenity of the Whigs! I escaped the storm that was ready to burst upon me; and I at last died in peace, and was gathered to my fathers.

But,

But, to return to you, my dear great-grand-nephew—while I glory in the parts and principles of such an illustrious descendant, I must, at the same time, confess my shame and my sorrow for the poor figure, or rather the no-figure that was cut by my son, my nephew, my grand-nephew, and that is now cutting by your br-th-r, my other great-grand-nephew: the three first of whom passed through the world without leaving any other memorial behind them, than that they were born, lived, and died; and the last, I am afraid, will pass through it, without leaving behind him any more durable monument of his merit. But as it is not every age that produces a hero, still less is it to be expected that every family should produce a succession of heroes. Nature, indeed, seems to have been exhausted with the violent effort she made to produce me; and thus, like a barren woman, like an *effæta parens*, she was content, for a number of years, to produce mere shadows and representatives of men, mere walking statues: till, at length, recovering her wonted strength, she made one effort more, and produced you, *proles haud indigna parente*, the worthy successor, if not to my titles, at least to my virtues. Well may I say with *Horace*:

Utrumque nostrum incredibili modo

Consentit astrum.—————

our stars agree in a most wonderful manner. I endeavoured, to the best of my power, to *exclude* from the throne the present reigning family. You have endeavoured, with the like laudable zeal, to *e—l*, from the throne, the same royal family; whose title, though founded upon an act of parliament, and acknowledged by ninety-nine in a hundred of the whole body of the people, will never be sincerely recognized by any *true Tory*. Proceed, therefore, my dear Tommy, in the way you have begun. Join with every minister, and every creature of every minister, in alienating from the prince the affections of his people, and thus pave the way for another revolution; for, by such a method, and by such a method only, can another revolution be ever effected.

But, though our attempts against the present royal family have been nearly the same, our rewards, I must own, have been very different; and so far, it is certain, our stars do *not* agree. My attempts had well nigh cost me my head: yours have procured you a seat in the privy-council. See the ingratitude of king George the First's ministers, and the gratitude of those of his great-grand-son! I must likewise observe, that, at the time of our making these attempts, your sphere of action was rather narrower than mine. I was first lord of the treasury: you was only l—d m—r of London. But, narrow as your sphere of action was, you exerted yourself in it, with uncommon spirit and activity. You battled it most manfully with the factious citizens; seizing them by the neck, and almost throttling them, and putting upon them handcuffs with your own proper hands; descending thus for the sake of the *good old cause*, to the mean office of a city-constable: but he that will discharge well the office of a city-constable, may rise, in time, to be almost as great an officer as was formerly the grand constable of the kingdom, that is, to be a secretary of state, or first lord of the treasury.

Let me not, however, omit mentioning what, in my opinion, constitutes the principal part of your merit; I mean your strenu-
ous

ous and unwearied opposition to that inveterate enemy of all *Tories* and *Jacobites*, *John Wilkes, esq*; who hath raised against them such a terrible hue-and-cry, as is not likely, I am afraid, to be very soon laid. In a word, my dear Tommy, you have, by your late gallant achievements, so strongly recommended yourself to the esteem and affection of all the friends of the Stuart family on this side *Styx*, that your health is frequently drunk by king James II, and king James III,—*alias* the chevalier—and by all their loyal adherents, particularly by your *quondam* associate, the noble earl of Egremont.

But great as your merit is, it might yet have been greater, had you had either the prudence or the spirit to avail yourself of the opportunity, which fortune threw in your way. What I allude to is, the election of the two sheriffs for London and Middlesex, which you have shamefully allowed the liverymen to carry against you. The power of the sheriffs for London and Middlesex is much greater than you, perhaps, would be apt to imagine. For, as there are more causes tried in London alone than in all the kingdom besides, and as the sheriffs have the nomination of all the juries, grand and petit, within the county, their power, of consequence, may be safely affirmed to be more extensive than that of all the other sheriffs in the kingdom put together.

This is a point, that was sufficiently understood by the arbitrary ministers of king Charles II, whose conduct seems to have been so faithfully copied by most of the numerous ministries you have had during the present reign. These ministers of king Charles II very well knew, that they could never pretend to lord it in the city, until they had got into their own hands the appointment of the sheriffs; and, with this view, they fell upon the following device. They bribed Sir John Moor, the then lord-mayor—as some people suspect other lord-mayors have been by the present ministry—and they encouraged him to insist upon the customary privilege of his office, of naming one of the sheriffs. Accordingly, when the time of election came, he drank to North, a Levant merchant, who accepted the office. The country-party said, that, being lately returned from Turkey, he was, on account of his recent experience in that land of slavery, better qualified to serve the purposes of the court. A poll was opened for the election of another sheriff; and here began the contest. The majority of the common-hall, headed by the two sheriffs of the former year, refused to acknowledge the mayor's right of nominating one sheriff, and insisted that both must be elected by the liveries. Papillon and Dubois were the persons whom the country party agreed to elect: Box was recommended by the courtiers. Books were accordingly opened for the poll; but as the mayor would not allow the elections to proceed for two vacancies, the sheriffs and he separated, and each carried on the poll apart. The country party, who voted, with the sheriffs, for Papillon and Dubois, were much more numerous than those, who voted with the mayor for Box. But as the mayor insisted that his books were the only legal ones, he declared Box to be duly elected. All difficulties, however, were not surmounted. Box, apprehensive of the consequences of so dubious an election, fined off; and the mayor found it necessary to proceed to a new election. When the matter was proposed to the common-hall, a loud cry was raised, no election! no election! The two sheriffs already elected, Papil-
lon

lon and Dubois, were insisted on as the only legal magistrates. But as the mayor still maintained, that Box alone had been legally chosen, and that it was now requisite to supply his place, he opened books anew, and during the tumult and confusion of the citizens, a few of the mayor's partizans elected Rich, unknown to and unheeded by the rest of the liveries. North and Rich were accordingly sworn sheriffs for the ensuing year; but it was necessary to send a guard of the train-bands to protect them in the entering upon their office.

Now, my dear Tommy, here was an example, a glorious example, worthy your closest, your most zealous imitation. Why then, in G—d's name, did you not follow it? Was you afraid, that, like Sir John Moor, you might have been obliged to employ a party of the train-bands to protect *your* sheriffs in entering upon their office? But you have been obliged, you know, to employ a party, not of the train-bands, but of the regular troops, to protect yourself in the execution of your office. And so, I suppose, you thought, that, because you had been forced to have recourse to such extraordinary means to secure your own person, you had little chance of being able to afford security to unpopular sheriffs. But if you thought so, my dear, you was greatly mistaken. The third regiment of guards, which would have been at your service, is more than sufficient to make the city of London tremble to its centre. The spirits of the people are now so cowed by the number and weight of the taxes, and by the arbitrary measures of the ministry, that they have not courage to assert their privileges, especially when under the immediate dread of military execution.

I can therefore, by no means, excuse you for letting slip such a favourable opportunity of serving the court; an opportunity too, which, by the constitution of the city, you are not very likely to enjoy again. The truth is, I dread the consequence of having two such republican and anti-ministerial sheriffs as are now chosen; and have you not already seen an alarming proof of the danger that may arise from such *independant* and *free-spirited* officers? Have not the present sheriffs nominated a *grand jury*, who have had the unexampled presumption to find a bill for *wilful murder* against S—G—ll—m, esq; only for dispatching, with the shot of a musket, or the stab of a bayonet, a number of his majesty's liege subjects, when he was expressly commanded to do so by the m—y? As if, forsooth, an inferior officer were at liberty to refuse obedience to, or to enquire into the legality of the orders of his superior.

Aye! Aye! this has always been the *absurd maxim* of the Whigs, that no man is obliged to obey the commands of his superior, if these commands are contrary to the laws of the land, or to the laws of God and nature. But this maxim never was, and, I trust, never will be embraced by any true Tory; the distinguishing characteristic of which party it ever has been to maintain that doctrine, so full of sense, and so agreeable to the dignity of human nature; I mean the doctrine of *passive-obedience* and *non-resistance*. Take care, therefore, my dear Tommy, to recommend this doctrine by your example, and by your exhortation. Let every man address his superior in the same words in which *Æolus* addressed *Juno*:

—————*Tuus, O Regina, quid optes
Explorare labor: mibi jussa capessere fas est:*

that

that is, 'tis yours peremptorily to command: 'tis mine, implicitly to obey.

But I had almost forgot one observation, which naturally arises from the historical facts I have mentioned above; and that is, the infinite difference there is, in point of gratitude, between the court of king Charles II, and that of king George III. Sir John Moor, you see, procured two sheriffs for the court: you have only had the merit of fighting a few boxing-matches with some obstinate Cockneys. But I never heard of any reward that Sir John received; whereas you, by way of recompence, have been made a privy-counsellor.

In a word, my dear, considering the grateful disposition of the present ministry, and your inclination to oblige them, I do not despair, before you leave the world, of your becoming an earl, if not a duke. Let me advise you, however, to improve the present opportunity, and (as the proverb has it) *to make hay while the sun shines*. For, if I may believe the reports of some ghosts lately arrived in these lower regions, you have no chance of being elected again one of the city representatives. The rebuff you have met with in the election of the sheriffs, is a strong proof, they say, of the decline of your City interest. I am, my dear Tommy,

Your sincere friend, and affectionate great-grand-uncle,
ROBERT, OXFORD AND MORTIMER.

To the NORTH BRITON.

S I R,

CONSIDERING the severe and cruel imprisonment I have suffered on your account, I hope you will allow, that I have some little title to a corner in your paper; and though you was pleased, in your 54th number, to banter me on my ambition of turning author, and of having a paper in the *North Briton*, I will yet endeavour to acquit myself in such a manner, as not to disgrace your writings, sensible and spirited as they undoubtedly are. You will easily believe, that, since my being shut up in this dreary dungeon, I have had—as Calista says—*room for meditation*; and, as the love of my country is my ruling passion, I have employed my thoughts, for some weeks past, in settling a plan for an able and patriotic ministry.

The substance of this plan I may perhaps communicate to you in some future letter. But my chief intention at present is, to inform you, that, in the disposal of places, I shall discover a spirit of greater disinterestedness than most of our political projectors; for I here pledge my honour, that I shall not appoint myself to any place under the government; our gentle ministers—peace be to them!—and our *impartial* dispensers of *righteous* judgment, having already appointed me to one: and though I have not been in possession of it above seven weeks, it yet begins to be so disagreeable, that I shall soon beg leave to resign it to some other person, who may be better intitled, than I am, to such a distinguished situation. For, notwithstanding my utmost endeavours to act up to the precept of christianity, which says, *that in whatever state a man is, he ought therewith to be content*, I find that I cannot be content with my present state; nor can I lay
any

any claim to the compliment, which your correspondent, in your last week's paper, pays to his Majesty, of being best *satisfied* with his *limited* condition: for I frankly confess, that I am *not satisfied* with my *limited condition*; and sincerely wish, that it were not so very *limited*.

As to the choice of a proper successor, I have several persons in my eye. I had once some thoughts of the ch—mb—rl—n or st—rd of the h—sh—ld; and, if either of them will condescend to accept my place, I can truly assure them, that they will find here a more *orderly*, and, perhaps, even a more *honest, household*, than that of which they have the direction. But the former, if he comes here, must lay aside his old trick, which he practised in Ireland, of making deductions, for the use of his son, from the perquisites of the servants; and the latter, if he succeeds me, must not be so very stingy, in *Newgate*, as he is in *St. J—s's*, of his coals and candle: for the place is extremely cold in winter, and the apartments are rather none of the best lighted. I likewise proposed to the *members* of this *family*, the first l—d of the tr—y as a proper person to succeed me; but they all objected to him with one voice, alledging, that he was deeply infected with the *itch of gaming*; and that whatever crimes they were guilty of, they were determined not to be *gamblers*. I then mentioned the present l—d m—r of London; but he, I found, was still more unacceptable: for he had, it seems, given it as his opinion, that a man ought to be *hanged first*, and *tried afterwards*: a maxim, which, the inhabitants of *Newgate* say, shall never be admitted within the walls of this seat of justice; for that they think it soon enough, in all conscience, to be hanged, after they are fairly tried and condemned.

I also took the liberty of hinting at Mr. J—e G—ll—m as a proper successor: but the people here would not endure the thoughts of such a *bloody-minded* man, who talked—like Bobadil—of killing five and twenty of his fellow-subjects to-day, and a hundred to-morrow.

To conclude, Sir, I had almost begun to despair of my being able to find a successor, when I happily recollected the right honourable L—d B——n: at the very mention of the name, the whole house was in an uproar of applause. B——n! B——n! resounded from every quarter. They would have B——n, and none but B——n. The murderers, in particular, were uncommonly clamorous for his l—p as my successor; alledging, that they should not only receive a pardon, but even thanks, and that too in his m—y's name, for their alacrity in destroying their fellow-subjects. 'Twas impossible, Sir, to withstand these arguments; I yielded to the united voice of the whole family; and I have now sent a letter to his l—p, acquainting him with my intention of resigning in his favour; and that, as soon as he has prepared his baggage, I am ready to make room for him at a moment's warning.

I am, Sir, your persecuted publisher,

W. BINGLEY.

T H E

N O R T H B R I T O N .

N U M B E R L X .

To be continued every *Saturday*. Price Two-pence Halfpenny.

*Nam imperium facile iis artibus retinetur, quibus initio partum est.
Verum, ubi pro labore desidia, pro continentia & æquitate lubido
atque superbia invasere, fortuna simul cum moribus immutatur.*

SALLUST.

S A T U R D A Y , A U G U S T 6 , 1768.

To the N O R T H B R I T O N .

S I R,

WHENEVER I see a rash, head-strong, profligate, and unexperienced youth undertake to *act the prime minister*, and to *conduct the affairs of government*, it immediately recalls to my mind the story of *Phaeton*, who undertook to *conduct the chariot of the sun*; and I cannot help dreading, that the former circumstance may produce the same ruin and combustion in the moral, which the latter produced in the natural world. Such a *prime minister* we have for some time had; and the event has been such as might reasonably be expected. *The proud Spaniard* laughing at our most importunate demands of a just debt: *the ambitious Frenchman* conquering kingdoms, and threatening us with his vengeance, if we presume to interrupt him: *the Irish*, by their acquisition of octennial parliaments, throwing off, to a certain degree, their dependence upon Great-Britain: *the English* highly and universally discontented, and exclaiming, with open mouth, against the ignorance, the avarice, and the tyranny of their ministers: *and the Americans* engaged, or upon the point of engaging, in a general rebellion against their mother-country. Such are a few of the blessed effects of intrusting the chief management of our public affairs to a raw, uninformed, and unprincipled stripling! Well may I cry out, in the words of the preacher, with a little variation, *Woe be to thee! O land! when thy minister is a child*: and still more, when he is a worthless, wicked, and abandoned child; a Covent-Garden blood, and a Newmarket jockey. But, not to lose myself amidst a multiplicity of objects, each of which might furnish sufficient matter for a variety of *North-Britons*, I shall confine the substance of my present

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sent letter to the affairs of *America*, as the storm gathering in that quarter is by far the most alarming. *The Americans* are now fairly driven to despair; and we are going, it seems, to punish them for the effects of a phrenzy of our own raising. The grievances of *the Americans* are of two sorts; partly civil, and partly religious: and each of these I shall consider separately. I will not say, as is said by some others, that we have no right to tax the *Americans*, because the *British legislature* has determined the contrary. But though the *British legislature* hath absolutely determined, that we have a right to tax *the Americans*, two noblemen of the first abilities in the kingdom, the L—d H—h Ch—r and the E— of Ch—m, have given it as their opinion, that we have no such right; and it has frequently been found, that the opinion of two men, or even of one man, is more agreeable to reason, to justice, to equity, and even to the real interest of the nation, than the united opinion of the *whole legislature*. But whatever may be our right to tax *the Americans*, the expediency of such a measure, especially at this juncture, may very reasonably be questioned. *The Americans* have repeatedly told us,—and we have no just cause to doubt their veracity—that they have no money to pay taxes, and hardly even enough to carry on their trade; as, by the numerous restrictions laid upon their commerce, their whole current specie is remitted to England.

And here I must observe, that, according to the opinion of the best politicians, though free governments are always the most happy for those who partake of their freedom; yet are they generally the most ruinous and oppressive for their *colonies and provinces*. When a monarch extends his dominions, he soon learns to consider his old and his new subjects as on the same footing; because, in reality, all his subjects are to him the same, except the few friends and favourites, with whom he is personally acquainted. He does not, therefore, make any distinction betwixt them in his *general laws*; and, at the same time, is no less careful to prevent all *particular* acts of oppression on the one than on the other. But a free state necessarily makes a great distinction, and must always do so, till men learn to love their neighbours as well as themselves.

The governors, in this latter case, are all legislators, and will be sure so to contrive matters, *by restrictions of trade, and by taxes*, as to draw some private, as well as public, advantage from their new dominions. *Provincial governors* have also a better chance, in a republic, to escape with their plunder, by means of bribery or interest; and their fellow-citizens, who find their own state to be enriched by the spoils of the *subject-provinces*, will be the more inclined to tolerate such abuses. Not to mention, that it is a necessary caution in a free state to change the governors frequently; which obliges these temporary tyrants to be more expeditious in their rapacity, that they may accumulate sufficient wealth before they give place to their successors.

What cruel tyrants were the ROMANS over the world during the time of their commonwealth! 'Tis true, they had laws to prevent oppression in their *provincial magistrates*; but CICERO informs us, that the ROMANS could not better consult the interest of the *provinces*, than by repealing these very laws. For,
says

says he, in that case, our magistrates, having entire impunity, would plunder no more than would satisfy their own rapaciousness: whereas, at present, they must also satisfy that of their judges, and of all the great men of ROME, whose protection they stand in need of. Who can read of the cruelties and oppressions of VERRES without horror and astonishment? And who is not filled with indignation to hear, that after CICERO had exhausted on that abandoned criminal all the thunders of his divine eloquence, and had prevailed so far as to get him condemned to the utmost extent of the laws; yet that cruel tyrant lived peaceably to old age, in opulence and ease, and, thirty years afterwards, was put into the proscription by MARK ANTHONY, on account of his exorbitant wealth, where he fell, with CICERO himself, and all the most virtuous men of ROME?

After the dissolution of the commonwealth, the ROMAN yoke became easier upon the *provinces*, as TACITUS informs us†; and it may be observed, that many of the worst emperors, DOMITIAN‡, for instance, were very careful to prevent all oppression of the *provinces*. In TIBERIUS's time||, GAUL was esteemed richer than ITALY itself: nor does it appear, during the whole time of the ROMAN monarchy, that the empire became less rich or populous in any of its *provinces*; though indeed its valour and military discipline were always upon the decline. The oppression and tyranny of the CARTHAGINIANS over their *subject-states* in AFRICA were carried so far, as we learn from POLYBIUS§, that, not contented with exacting from them the half of all the product of their ground, which of itself was an intolerable burden, they also loaded them with many other *taxes*. If we pass from ancient to modern times, we shall find the same observation hold. The *provinces* of absolute monarchies are generally better treated than those of free states. Compare the *Pais conquis* of FRANCE with IRELAND; and you will be convinced of this truth. CORSICA was also, till very lately, a remarkable instance to the same purpose.

It must, indeed, be confessed, that, as the English government is not a pure republic, the above reasoning will not exactly apply to the present case. It is certain however, that the English government approaches much nearer to a pure republic, than it does to an absolute monarchy; and so far, I am persuaded, the above reasoning will apply. I know there are some people who suspect, that, as our m—— have been endeavouring, for these seven years past, to destroy the republican part of our government, they mean to conceal from us their treasonable design, by shewing that it still exists in its full force, and produces even more than its natural effect in our *American colonies*. But I believe those reason better who affirm, that our m—— have, indeed, formed a settled design to destroy the republican part of our government; but that, encouraged, on the one hand, by their own extensive power, on the other, by the extreme weakness of the people, they think it a needless and superfluous precaution to conceal their design: they have only, in the present case, like all arbitrary ministers, begun at the extremity of the empire.

† Ann. lib. I. cap. 2.

‡ Suet. in Vitâ Domit.

|| Tacit. Ann. lib. III.

§ Lib. I. cap. 72.

This,

This, indeed, ever has been, and ever will be the manner, in which all arbitrary or despotic government is established. It first commences in the more remote parts of the kingdom, where the people, few in number, scattered over the country, and not collected into large towns, have little power, and less inclination, to make any vigorous resistance. And having thus got a sure footing in the more distant provinces, it advances, by quick and rapid steps, towards the capital; where the citizens, enervated by sloth, luxury, debauchery, and by every other vice that wealth can create, fall an easy prey to their *military legislators*. Even in despotic governments, the *metropolis* commonly enjoys a degree of liberty beyond what is to be met with in the more *remote provinces*. The *Parisians* are more free than the inhabitants of *Aix* or *Toulouse*; and the citizens of *Rome* than those of *Loretto* or *Bologna*.

It has, I think, been remarked by one of your correspondents, that the power of the crown is now become so great, by the infinite number of places it has to dispose of, as to threaten the liberties of the nation with speedy destruction. Increase the number of these places but ever so little, and the work, I believe, will be fully compleated. Our m——rs, indeed, have stretched this point, as far as they can safely stretch it, at least for the present. And now finding it impossible to provide for their *hungry* creatures and dependants on this side the ATLANTIC, they are resolved, it seems, to provide for them in AMERICA.

The AMERICANS, however, are in no disposition to receive these *courtly* visitants, whose character they have drawn in as strong and lively colours, as if they had beheld all their *insolence of office* in GREAT-BRITAIN. They say, “that their money cannot be applied to worse purposes than to maintain *swarms of* “OFFICERS and PENSIONERS in idleness and luxury, whose example “has a tendency to corrupt their morals, and whose *arbitrary dispositions* will trample on their rights.” They call them men, “whose “*imperious tempers*, whose rash, inconsiderate, and weak behaviour, are well known.” They add, “that they are continually alarmed with rumours and reports of *new importations* “of OFFICERS and PENSIONERS, to suck the life-blood of the body- “*politic while it is streaming from the veins*.” And, viewing them in this *just* but *odious* light, is it to be supposed, that they will patiently bear to see their land over-run, and their substance devoured, by such pernicious, such destructive vermin?

O! but it will be said, all these OFFICERS and PENSIONERS, and a thousand times more, are necessary for the support of government. Yes! yes! it is necessary for the support of government, that the farmers-general in FRANCE, and the tax-gatherers in SPAIN, should riot on the spoils of their fellow-subjects! And it is equally necessary for the support of government, that the wretched peasants of POLAND should labour five days in the week for their lordly masters, and but one for themselves!

In good earnest, most governments in the world are such heavy curses upon the poor subjects who groan under them, that it would be much better for the unhappy people, if they had no government at all. Monsieur de L'Estoille, in his Travels, tells us, that as he journeyed through the INDIES, he travelled for above twenty days together, through lanes of people hanged upon trees,
by

by command of the king; who had ordered above a hundred thousand of them to be thus murdered and gibbeted, and all too for no other crime but because two or three robberies had been committed amongst them. Here, gentle reader, was *justice* with a witness. This *just* king, I suppose, followed the maxim of a celebrated lawyer, FIAT JUSTITIA ET PEREAT MUNDUS. It is likewise related by several historians, that MULEY, emperor of MOROCCO in the beginning of the present century, butchered above forty thousand of his subjects with his own hands.—So indulgent a father was he to his people! And yet his right to shed human blood being one of the chief articles of the church of MOROCCO, as by law established, the people were eager to die by his hand; a circumstance, which, they were made to believe, procured them an immediate admission into Paradise. Such, indeed, was their avidity for this high distinction, that, though, as it is said, every time he mounted his horse, he sliced off the head of the slave, who held his stirrup, to shew that he was as good an executioner as he was a horseman; yet was there a constant contention among his slaves, who should be the happy martyr on the occasion: insomuch that, several of them crowding to his stirrup together, for the inestimable favour, his majesty had sometimes the honour to cut off two heads at once, and thus to make two saints at a blow. And yet these cruel and tyrannical governments had, no doubt, their friends and supporters; and all these shocking and inhuman barbarities were probably represented, by the courtiers of those times and of those princes, as absolutely necessary for the support of government. But if such shocking and inhuman barbarities were absolutely necessary for the support of all government, my fervent prayer to Heaven would be, that there were no such thing as government in the world: for I would rather be deprived of all the advantages arising from such society, than enjoy them on such precarious, such dreadful conditions; and would rather expose myself to the fury of wild beasts, than to the fury of a tyrant, the wildest beast in nature. For my own part, I can form no other idea of a legal government, than that it is an institution calculated to promote the good of the public; and every institution that is not so calculated, is not a legal government; it is merely an usurpation: and every particular act of government, that has not this tendency, is contrary to the very end for which all government was established.

I will not say, that the measures, which we have lately pursued, and are still pursuing, in the management of our *American colonies*, are not calculated to promote the welfare of those colonies in particular, and of the British dominions in general; but I am afraid we shall have some difficulty in persuading the AMERICANS, that they are calculated to promote the welfare either of the one or of the other. They will, I apprehend, be apt to suspect, that they are calculated merely to increase the number of placemen and pensioners, and, of consequence, the power of the crown, already become too great to be consistent with the preservation of our national liberties; and considering them in this light, they may be prompted, even from a principle of patriotism, to refuse submitting to the duties imposed upon them.

'Tis

'Tis certain, however, that they must embrace one part of this alternative: they will either submit to these duties, or they will not. If they *do* submit to them, 'tis more than probable, that their resentment of the ill usage they may think they have met with, will induce them to break off all commercial connections with GREAT-BRITAIN; and thus we shall be deprived of the only real advantage, which a mother-state can derive from her colonies. If they *do not* submit to them, they will either raise a civil war, the greatest of evils; or they will oblige the p——t to repeal an act, which they have so solemnly passed, and thus render the government perfectly contemptible.

To such a *fine* pass have our *wise* m——rs brought the affairs of the nation, that their measures, even in their most favourable issue, must necessarily be productive of the most fatal effects! If they act from design, they ought to be punished as traitors to their country: if from ignorance, they ought to be dismissed from places which they are so unable to fill.

I should now come to consider the religious grievances of the AMERICANS; but these I must reserve for the subject of another letter. In the mean time, I am, Sir,

Yours, &c.

L.

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T H E

NORTH BRITON.

N U M B E R LXI.

To be continued every *Saturday*. Price Two-pence Halfpenny.

Pro ARTIS, non minus quàm pro FOCIS, dimicandum.

S A T U R D A Y , A U G U S T 13, 1768.

To The NORTH BRITON.

S I R,

AGREEABLE to the promise I made in my last letter, I shall now proceed to consider the *religious grievances* of the AMERICANS; which, though not carried, as yet, to so great a height as those of a *civil nature*, are, nevertheless, as real, and, if allowed to continue, and to operate their full effect, may perhaps become, in time, still more intolerable. What I mean is, the design that has been formed to introduce, into AMERICA, the *episcopal persuasion*, as the established religion.

This design, which is now no secret, has justly excited the apprehension and indignation of almost every AMERICAN. They say, and they say it truly, that it was in order to free themselves from the tyranny and despotism of the *episcopal hierarchy*, that their ancestors abandoned their native country, and took refuge in the barren wilds of the western continent. And is it to be supposed, that they will patiently bend their necks to a yoke, which neither they nor their fore-fathers have been able to bear? Is it to be supposed, that, after having enjoyed, for so long a time, the blessings of religious, and consequently, of civil liberty, they will tamely forego them without a single struggle? Those who think so, know not human nature; for every one that knows it, must be fully satisfied, that there is nothing of which mankind are so
very

very tenacious as of their *religious principles*; and that almost every ~~attempt to change these principles~~, in opposition to the humour of the people, has terminated in the destruction of the person who made it. Witness the injudicious and ill-timed attempt of King Charles the First to introduce into Scotland the *episcopal* form of government. For it may be safely affirmed, that, notwithstanding the many rude encroachments which that prince had made upon the *civil* rights of his English and his Scottish subjects, neither of these people would, at least for some time, have risen in arms, had it not been for the violent steps, which his majesty took to change the *religious* principles of the latter. This was the true source of the civil wars; and, in the like circumstances, will ever be the source of civil wars. Nor, indeed, is it at all surprizing that it should: for can it be expected, that a people should change their religion, their manners and their customs, in an instant, and with the same rapidity with which a prince or his ministry may publish the ordinance that establishes a new religion?

The truth is, most ministers consider the people as clay in the hands of the potter, which they think they may mould into any shape they please; but I am afraid, that our present ministers will find the AMERICANS composed of very different matter. I am afraid, that, instead of clay, they will find them composed of steel, that will break before it will bend, and will perhaps cut the hand that shall attempt to bend it.

But, admitting the possibility of establishing *episcopacy* in AMERICA, such a scheme, could it actually be executed, ought to be strenuously opposed by every friend to his country; as, were it once actually executed, it would certainly be attended with the most pernicious consequences. It was, I think, a saying of king James the First, NO BISHOP, NO KING; and, might I take the freedom of opposing a maxim of mine to that royal chopper of sentences, I would say, and, I believe, with equal truth, NO DISSENTER, NO LIBERTY. THE DISSENTERS are, and ever have been, the very life and soul of the *republican part of our government*. They have often saved it, when upon the brink of destruction; and, it is to be hoped, they will still save it, if ever it should be again brought to the brink of destruction.

The PURITANS,—says a celebrated historian †, who cannot be supposed partial to that republican sect—the PURITANS preserved alive the small sparks of the love of liberty that were to be found in the nation, during the reign of Elizabeth and of the two first princes of the Stuart line. And whatever ridicule may be thrown upon the PURITANS by some court-sycophants, I must confess, for my own part, I would rather be a PURITAN, attached to law and liberty; than a CHURCHMAN, attached to slavery and despotism: I would rather be a PURITAN, who can sit quietly under his own vine and his own fig-tree, and none to make him afraid; than a CHURCHMAN, who is either employed in ravishing the vineyards of others, or who, like NABOTH, is in danger of having his own vineyard ravished from him.

† Hume.

Accustomed to think freely in religious matters, the *Protestant* DISSENTERS have ever exercised the same freedom in their political speculations. They plainly perceived the absurd nature and pernicious tendency of the doctrine of *divine indefeasible hereditary right*, and of *passive obedience* and *non-resistance*; and they accordingly rejected it with the utmost indignation. They boldly maintained, that all government was instituted for the good of the people; that the SALUS POPULI was the SUPREMA LEX; that the sovereign was only the first servant of the public; that the prince, as well as the subject, was bound to obey the laws; that the moment the prince violated the laws, the subject was, at least in that instance, freed from obedience; and that if ever the prince proceeded to such a length as to violate the laws essential to the constitution, the subject was entirely freed from his allegiance.

These are the principles, which the DISSENTERS have ever embraced, and which they still embrace. These are the principles, upon which the civil war was begun, and the revolution effected. These are the principles, upon which the present family was established on the throne, upon which it still possesses it, and upon which *alone* it can continue to possess it. And if ever any minister should be so daringly wicked, as to advise any prince of that family to violate these principles, he ought to be punished as a traitor to his king and to his country.

But, perhaps, it will be said, that these principles have been always embraced, and with as much sincerity, by the EPISCOPALIANS, as by the DISSENTERS. If any one should say so, the whole English history would give him the lie. Were they embraced by them in the reign of KING JAMES THE FIRST, who, when, in the conference of divines at HAMPTON-COURT, he exalted his own prerogative and the prelatical character, was told by the Archbishop of Canterbury, *that undoubtedly his majesty spoke by the special assistance of God's spirit*? Were they embraced by them in the reign of KING CHARLES THE FIRST, whom they wickedly intoxicated with such high notions of the royal prerogative, as precipitated him into measures that terminated in his own destruction and in the destruction of the monarchy? Were they embraced by them in the reign of KING CHARLES THE SECOND, to whom they suggested the most arbitrary councils, and whom they strongly advised *to get the doctrine of passive obedience enacted into a law*; and who, when that prince made a bold, and, unhappily, but too successful an effort to reign without parliaments, so vigorously assisted him in his unconstitutional measures, that the historian † above quoted expressly says; “the
“ clergy especially were busy in this great revolution; and being
“ moved, partly by their own fears, partly by the insinuations of
“ the court, they represented all their antagonists as sectaries and
“ republicans, and rejoiced in escaping all those perils, which
“ they believed to have been hanging over them. *Principles, the*
“ *most opposite to civil liberty, were every where enforced from the*
“ *pulpit*, and adopted in numerous addresses; where the king
“ was flattered in his present measures, and *congratulated on his*
“ *escape from parliaments*. Could words have been depended on,

† Hume's hist. 8vo. edit. vol. viii. p. 152.

“ the

“ the nation appeared to be running fast into voluntary servitude, and seemed even ambitious of resigning into the king’s hands all the privileges, transmitted to them, through so many ages, by their gallant ancestors.”

And though they made some opposition to the violent measures of KING JAMES THE SECOND, yet was it chiefly because their own order was attacked ; for, had that prince been contented with destroying only the civil liberties of the nation, without endeavouring to undermine its religion, ’tis more than probable that he might have carried his point, at least for any interruption he was likely to have met with from the established clergy.

True it is, they concurred in the revolution ; but with what sincerity, the great number of them who refused to take the oaths to the new government, and the endless plots and conspiracies they hatched against it, sufficiently declare.

Let it not, however, be imagined, that I mean to impute the above principles and practices to the whole body of the EPISCOPAL CLERGY. God forbid ! I know there are some of the EPISCOPAL CLERGY, who are as staunch friends to the liberty of the subject, as any DISSENTER in the kingdom ; witness the worthy *author of the Confessional*, and several others. I only mean to impute them to the high-flying, Jacobite clergy, and to their deluded followers among the laity, who never were, and, I believe, never will be thoroughly reconciled to *our free government* ; and if ever they should be reconciled to *our government*, I shall begin, I must own, to entertain a suspicion, that *our government is no longer free*.

But, though I mean not to impute the above principles and practices to the whole body of the EPISCOPAL CLERGY, I may yet, I am persuaded, take upon me to assert, that the *episcopal form of church government* is much better adapted, than that of the *presbyterians*, or of *any other sect*, to an *absolute monarchy* ; and for the truth of this assertion I appeal to the sentiments of the most sensible writers who have treated of politics. The distance between the proud prelate and the poor curate is almost as great, as that between the grand monarch and the meanest of his menial servants. The truth is, the spirit of subordination that prevails in the *episcopal form of church government*, is admirably calculated to preserve *order*, or rather *slavery*, in civil society ; for is it to be supposed, that a man, possessed of about ten pounds a year, will dare to disobey the orders of one, possessed, perhaps, of as many thousands ?

’Tis an old and a just observation, that *superstition is an enemy to civil liberty*, and *enthusiasm a friend to it*. But it is well known, that the CHURCH OF ENGLAND partakes considerably of the *superstitious character* ; and that all the DISSENTERS are, more or less, remarkable for *enthusiasm*. That this is the natural tendency of superstition, will be evident to any one who considers the situation of FRANCE, of SPAIN, or of any other *Roman catholic country*, where superstition prevails in its full force, and where the poor people are held in such a slavish subjection by their spiritual and temporal rulers, that they are almost looked upon as beings of an inferior species. It is commonly reported of a *French bishop*, who was a man of quality,

quality, as most of the *French bishops* are, that, thinking it beneath his dignity to address his flock in the usual style, *Mes cheres freres*, or *Dearly beloved brethren*, he began his sermon thus; *Canaille chretien, ecoutez la parole de Dieu*; Ye CHRISTIAN SCOUNDRELS, listen to the word of God! Such were the ideas of a *due subordination*, with which *superstition* inspired this right reverend and honourable prelate!

But not only is the *episcopal form of church government* an enemy to liberty and a friend to slavery, by the strong mixture of *superstition* which it contains, and by the infinite *distinction* it makes among the different members, of which it is composed: it is likewise so, by the great number of useless priests with which it is encumbered, by the immense wealth possessed by these priests, and by the unequal distribution of that wealth among the several persons belonging to the priesthood.

The *clergy* of SCOTLAND, if I am rightly informed, do not amount to one thousand. The *clergy* of England, I believe, fall not greatly short of twelve thousand. So that, supposing the *clergy* to bear the same proportion to the *laity* in both these kingdoms, ENGLAND should contain twelve times as many inhabitants as SCOTLAND. But ENGLAND, according to the highest computation, does not contain above three, or, at most, four times as many inhabitants as SCOTLAND; so that, making allowance for the greater number of people in the former than in the latter, for every *clergyman* in SCOTLAND there are at least three, if not four, in ENGLAND. And, as the number of *clergy* in ENGLAND, is so much larger than in SCOTLAND, their revenues, it is well known, are proportionably large. The whole annual revenue of the *Scottish clergy* does not exceed 80,000 pounds; a sum hardly equal to what is possessed by the *bishops alone*, and perhaps not one tenth of what is possessed by the whole body of the *English clergy*. And as the annual revenue of the *English clergy* is so much greater than that of the *Scotch*, it is divided, it is certain, among the different members, in a much more unequal and disproportionate manner. Few *Scottish clergymen* have less than fifty, and few more than a hundred pounds a-year. But, as I hinted above, some *English clergymen* have ten thousand, and some little more than ten pounds a-year. Such an infinite difference is there, in the number of clergymen, in the amount of their revenue, and in the distribution of that revenue, between the *episcopal* and the *presbyterian* establishments; and so much more favourable is the former, than the latter, to an absolute and pure monarchy! But as the English government never was, is not now, and I hope never will be an absolute and pure monarchy, so I pray I may never be so unhappy as to live to see the time when the *episcopal persuasion* shall be extended over the whole British dominions; for, if ever that time should unfortunately arrive, I will take upon me to affirm, that our liberties are, from that moment, irrecoverably ruined.

I will, indeed, admit, that the *episcopal* religion is the chief support of the *monarchical* part of our government; and so far I wish it may always be preserved in its present condition.

But

But, as I never desire to see the *monarchical* part of our government enlarged, so neither do I desire to see the *episcopal* religion extended beyond its present bounds. Our government, as I observed in my last letter, partakes more of a *republic* than of a *monarchy*. The *episcopalians* are the chief support of the *monarchical* part of it; the *dissenters*, of the republican: and therefore I wish, that there may be always a greater number of *dissenters* than *episcopalians* in the British dominions. The *crown*, God knows! does not at present stand in need of any additional assistance from the *hierarch*. It is daily receiving fresh accessions of strength from a variety of other quarters: quarters, which, I am afraid, it is not so easy to block up; and which yet, if they are not blocked up, will in time confer upon it such an exorbitant degree of power, as will enable it to overturn the liberties of the nation.

Let the ministry, therefore, drop their ill-judged scheme of establishing *episcopacy* in AMERICA; and let the *bishop of London*, who has lately been appointed one of the L— of Tr——e and Pl——ns, direct his attention rather to *temporal* than to *spiritual* objects. Nor need he be afraid of being put out of countenance by the superior abilities of his fellow-commissioners; for, however ignorant he may be of the nature of commerce, I will venture to assure him, that he cannot well be more ignorant than his colleagues. I am, Sir, Yours, &c.

L.

ERRATUM: In our last Number, Page 363, l. 31, dele *such*.

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T H E

N O R T H B R I T O N .

N U M B E R L X I I .

To be continued every *Saturday*. Price Two-pence Halfpenny.

REGIS *ad exemplum totus componitur Orbis.*

S A T U R D A Y , A U G U S T 20 , 1768 .

To the N O R T H B R I T O N .

S I R ,

I Need not inform you, for, I dare say, you know it already, that the *arrears of the Civil List*, which have long been upon the increase, are at last swelled up to the enormous sum of 600,000*l.* nay, some say 800,000*l.* nay, some say 1,000,000 sterling. This much is certain, that *the Crown* is no less than *five quarters in debt* to most, if not to all, of its servants. The consequence of which deficiency is, that the superior servants are proportionably backward in paying the bills of their tradesmen; and the inferior are reduced to a state of the most wretched poverty, and almost, indeed, of absolute bankruptcy. And I can positively assure you, from my own personal knowledge, that a very reputable tradesman, *a servant of the Crown*, was lately a prisoner in NEWGATE, owing, as he declared, to debts he had been obliged to contract on account of the great arrears due to him from the Crown; and which he found it impossible, by any means, to discharge, until these arrears were paid him. And had it not been for the generous interposition of some worthy friends, who satisfied his creditors, and restored him to his liberty, he might have been left to languish in that noisome dungeon for several years to come; for I believe it will be several years before the parliament will be so fully satisfied of the equity and justice of running the Crown in debt, as to be willing to discharge it.

Nor

Nor let it be supposed, that the case of the tradesman I have here alluded to, is, in any respect, singular. No, Sir; I appeal to all those who have any concerns in trade with *the servants of the Crown*, whether this is not nearly the case with all these servants; whether they are not extremely backward in discharging their debts; and whether it is not their constant apology for this backwardness, that they *cannot obtain their money from the Crown, till it is five quarters due*, and even then but a trifle at a time. The truth is, if I am not misinformed, there are some thousands of the servants of the Crown in nearly the same predicament with the tradesman above hinted at; and what a dangerous influence this must have upon commerce, I leave to the decision of every one who is a competent judge of the subject. It has, I think, been observed by one of your correspondents, that the whole current specie of the kingdom does not, perhaps, exceed 30,000,000 sterling: so that here is one 30th, or one 37th, or, at least, one 50th of the current specie of the kingdom diverted into a wrong channel; and, instead of supporting, as it ought to support, the wives and children of industrious tradesmen and mechanics, employed in supporting the wh—s, pimps, and parasites of our m—s.

But not only has this immense debt a dangerous influence upon commerce by its immediate weight and pressure; it has, perhaps, a more dangerous, because a more extensive influence, by the force of the bad example. We are, all of us, God knows! but too apt to follow the example of our superiors. If the K— runs in debt, the *nobility* will think they may take the same liberty: if the *nobility* run in debt, the *gentry* will lay claim to the same *honourable* privilege: if the *gentry* run in debt, the *merchant* will soon avail himself of so *useful* a precedent: and if all these run in debt, it is not to be supposed, that the *tradesman* and *mechanic* should be so very unpolite as not to tread in the footsteps of their betters. And thus, agreeable to the words of my motto, *the manners of the p—*, by a natural and necessary connection, *will gradually diffuse themselves through the whole body of the people*.

But not to take up your time, or that of your readers, with pointing out all the bad effects of this destructive practice, I must beg the favour of some of your correspondents, who may be better informed than I am, to give the public, through the channel of your paper, a satisfactory account in what manner this money hath been employed. Has it been employed in augmenting the magnificence and hospitality of the court? But these, it is well known, have been retrenched to an amazing degree: to such a degree, indeed, if we may believe some people, as to produce an annual saving of 100,000 l. In a word, such a spirit of *economy*, or rather of *parsimony*, has been introduced into the management of the r—l h—sh—ld, that a servant who is sent with a present, has a better chance, it is said, of being rewarded for his trouble at the *King's Bench*, than at *St. J—'s*. And, though the present L—d St—d once gave it as his opinion, that 800,000 l. a year was hardly sufficient to maintain the household of a private nobleman, yet his l—p, who is a private nobleman, cannot,
I am

I am persuaded, with all his places, perquisites, and even the profits arising from the sale of his *kitchen-stuff*, afford to spend one-fiftieth part of that sum in maintaining his own household. But *cooks*, they say, have always had the privilege of *licking their fingers*: and *st—ds*, I suppose his l—p thinks, are entitled to the same indulgence; and he very naturally concluded, that the larger the sum allowed for the maintenance of the h—sh—d, he should be able to *lick his fingers to the better purpose*.

As this money, therefore, has not been employed in augmenting the magnificence and hospitality of the court, in what else shall we suppose it to have been employed? Was it employed in bribing the members of the last parliament to vote with the ministry? From the blind, indeed, and implicit obedience, which those members paid to the contradictory commands of our late numerous ministries, it is natural to imagine, that a great part of this money was distributed among them; for never, sure, did pack of hounds, even the best trained and disciplined, obey, with more alacrity or more alertness, the *cry* of the HUNTSMAN, than those members obeyed the *cry* of the MINISTRY for the time being: so that a list of their votes, regularly drawn out, would form a most curious medley, and would exhibit a specimen, not of a virtuous and uncorrupt parliament, pursuing, with firmness and zeal, the good of their country, but of a set of base, venal, and mercenary wr—s, ready to sacrifice the good of their country, and even their country itself, for a morsel of bread, that is, for a place, a *purse*, or a pension. But if this was the manner in which the arrears of the Civil List were contracted, I hope the members of the present parliament, in order to shew their utter detestation of such odious practices, and to free themselves from all kind of suspicion of being likely to yield to the same strong temptations, will refuse to pay one farthing of a debt which owes its existence to such an infamous origin.

I know there are some persons who go a step further, and assert, that a great part of this money has been employed in bribing the electors to chuse such members for the present parliament as will vote with the m—y. That the m—y have actually expended large sums, and that, too, out of the public stock, for this iniquitous purpose, I make not the least doubt: that they have even r—d, for the same wicked end, a worthy nobleman, of an estate valued at 30,000l. is universally known. But, though they have thus taken every infamous method to secure a majority of the members in their favour, I hope they will find themselves, in the end, disappointed: I hope that the electors of the present age have behaved in the same manner with a worthy elector in the reign of king William, who, being offered a bribe by a court-candidate, very frankly took it, and then as frankly told him, that he looked upon him as a mercenary knave, who wanted to purchase a voice in parliament, that he might sell it to the highest bidder: that he had taken his bribe, partly by way of punishment for the insult he had offered him in supposing him a *villain*, and for the treachery he had intended to commit against his country, and partly because he was fully convinced, that he
had

had plundered his country of a hundred times the sum: but that, as to his vote, he would certainly give it against him; for he had laid it down as an indisputable maxim, that the man who would buy a voice in parliament, would as readily sell it. I hope, I say, that the electors of GREAT-BRITAIN have behaved in this manner to the m——y and their agents; and I flatter myself that the conduct of the parliament will shew that my hopes are by no means ill-founded.

But there is a third opinion with regard to the manner, in which this money has been expended; and that is, that it has been applied to the purposes of *secret service*: and here again people differ widely in their notions of this same *secret service*. Our m——rs would persuade us, that it is paying spies to watch the motions of foreign states, who may have any designs against us; while others think, and I believe with more justice, that it is paying their wh——s, pimps, and parasites, to administer to their pleasure.

And yet I cannot well perceive, how this can be called *secret service*. For it is now *no secret*, that the *first m——r of st—e*, keeps, as his *mistress*, a woman of the town, who was once *every man's mistress*, who could afford to give her a guinea; that he appears openly with her at *Ranelagh*, the *Opera*, *Newmarket*, and at most other places of public amusement; that he sets her at the head of his table, and admits no company to it, who do not treat her with a becoming respect—though I hope he did not oblige his late *royal visitant* to submit to this *indignity*—but whether the footmen of Miss N——y P——s, or those at St. J——'s, be most regularly or most liberally paid, I leave to be determined by those *party-coloured gentry*. I am, S I R,

Your's, &c.

P. M.

To the NORTH BRITON.

S I R,

BY inserting the following address in your patriotic paper, you will greatly oblige your humble servant,

C. D.

An Address to the Freeholders of Middlesex.

Gentlemen, and Brother-Freeholders,

I HAVE examined, with the utmost care and attention, all the arguments that have been urged in this and other papers, to persuade you to chuse Mr. *Serjeant Glynn* for one of your representatives in parliament; but though these arguments appeared to me, at first, to be altogether unanswerable, I must yet confess, and I do it with the deepest sorrow and regret, that I am now of a very different opinion. I will, indeed, admit, that Mr. *Serjeant Glynn* is possessed of all those good qualities which his friends ascribe to him, and which even his enemies dare not deny him: that

that he is a man of such sagacity as no artifice can deceive, of such integrity as no temptation can corrupt, and of such fortitude as no danger can intimidate: that he has eminently distinguished himself in defending the rights and liberties of his fellow-subjects: and that, in the prosecution of this glorious cause, he has dared to incur the displeasure of the ministry, and of all their creatures and dependents.

But to what do all these arguments tend? To what, you will say, but to prove, that *Mr. Serjeant Glynn* is a proper person to be chosen your representative in parliament? So, very probably, you may think; and so, I must own, I once thought: but now I am forced to think very differently. I will not, indeed, say, that these arguments prove *Mr. Serjeant Glynn* to be an *improper person to be chosen* your representative in parliament: but this, I believe, I may take upon me to affirm, that you *cannot chuse* him your representative in parliament, with any regard to your own safety. I do not mean, gentlemen, the safety of your property; for what is that, when put in competition with your liberty? But I mean the safety of your persons, and of those of your wives and children. The safety of our persons, and of those of our wives and children! Yes, gentlemen, I repeat it; the safety of your persons, and of those of your wives and children: and be not surprized, however you may be enraged; for I will make it as clear as the sun at noon-day, that you cannot chuse *Mr. Serjeant Glynn* for one of your representatives in parliament, without exposing your own lives, and those of your wives and children, to the most imminent danger.

And, first, let me ask you what was the real cause of that dreadful MASSACRE, which was committed in *St. George's-Fields* on the 10th day of May last? Was it, do you think, the mere circumstance of the people's gathering in crowds about the *King's Bench prison*? No, gentlemen; the people might have gathered about the *King's-Bench prison*, on *any other occasion*, or even on *this very occasion*, with a *different intention*, to ten times the number they then did; and no *military execution* have been inflicted upon them. Had they assembled with a view of hissing, instead of huzzaing *Mr. Wilkes*, instead of being punished, they would have been rewarded for their trouble. Had they even dragged out that gentleman, and tore him in a thousand pieces, the *murderers*, instead of being hanged, as justice requires, and the law directs, would, as in the case of young ALLEN, have been assisted by the m——y in making their escape, and would have been gratified with a pension. What then, you will ask, was the *real cause* of that shocking MASSACRE? I answer, it was the very circumstance of your chusing *Mr. Wilkes* one of your representatives in parliament. This, and this alone, was the true source of the evil.

HOC FONTE *derivata* CLADES

In patriam POPULUMQUE fluxit.

From that moment the m——y vowed revenge, the most *bloody* revenge against you; and had they not found an opportunity of executing

cutting it in *St. George's Fields*, they would certainly have executed it in some other place. For when once a man has formed a *murderous* design, he easily finds a pretext for putting it in execution.

That this is actually a true state of the case, will be evident to any one, who will take the trouble of perusing Mr. Justice G-l-l-m's trial; where he will find, that the m——y sent orders to that *humane*, or, as he calls himself, that *thick-skull'd*, magistrate—I wonder whether his *skull* be *musket-proof*—to kill five and twenty of the people, before it was so much as known, whether they would be guilty of any crime deserving such a punishment. As, therefore, *Gentlemen*, it is unreasonable to suppose, that these bloody orders should have been issued, for a crime which, perhaps, you never intended, and which you certainly never committed, it follows of course, that they must have been issued for some crime, which you had already committed. And what could that crime be, but your chusing Mr. *Wilkes* one of your representatives in parliament? Believe me, *Gentlemen*, this is a crime, in the estimation of the c—t, of so heinous a nature, that its guilt can never be expiated without some more human victims; and the m——y want only a plausible pretext for sacrificing these victims.

But, perhaps, you will say, that, if you chuse Mr. *Serjeant Glynn* for one of your representatives, you will take care not to furnish the m——y with any pretext for exercising their vengeance upon you; for that you will make it your business to keep clear of all kind of mobs. Alas! *Gentlemen*, you know not how easily a mob is raised, nor what an incurable aversion courtiers have to all sorts of mobs, but those composed of people of quality. The truth is, most courtiers, from the *first M——r of St—e* down to his m——y's *Rat-catcher* or *Bug-killer*, are at present seized with a certain disease called *Ochlophobia*, exactly resembling, in some respects, the true *Hydrophobia*, or *Canine Madness*; so that, at the sight of a mob, a courtier as naturally begins to grind his teeth and clench his fists, as a *mad dog* runs from the sight of water. And the misfortune is, that, while under the paroxysm of the distemper, he is so transported beyond the bounds of reason, as to make little distinction between friend and foe. Witness the conduct of the poor *Marshallman*, who, in the ardour of his zeal to keep off the mob from his *Danish Majesty*, laid about him so unmercifully, that he had well nigh struck the head of the royal personage whom he intended to protect! An act of officiousness, in my opinion, almost as obliging as that of the Irish soldier, who, trying in vain to keep off a fly from his officer's face, while he was asleep, knocked it on the head with the but-end of his musket, and dashed his master's teeth down his throat, at the same time.

T H E

N O R T H B R I T O N .

N U M B E R L X I I I .

To be continued every *Saturday*. Price Two-pence Halfpenny.

S A T U R D A Y , A U G U S T 27 , 1768 .

*Exemplo quodcunque malo committitur, ipsi
Displicet auctori. Prima est hæc ultio, quod se
Judice nemo nocens absolvitur, IMPROBA quamvis
GRATIA FALLACI PRÆTORIS VICERIT URNA.*

JUVENAL.

To the N O R T H B R I T O N .

S I R,

IT has ever been held a maxim in morals, that a guilty conscience is its own most severe accuser. The man, who hath embrued his hands in innocent blood, or committed any other atrocious deed, though he may conceal his guilt from all the world besides, will never be able to conceal it from himself; from that *secret monitor*, which is lodged within his own breast, and which, in his gayest and most happy moments—if, indeed, such a wretch could have any gay and happy moments—will harrow up his soul with the remembrance of his crimes, and will dash his cup of joy with the bitterest gall. And what may be considered as the very consummation of his misery, is, that, to a man in this dreadful condition, any thing, or every thing, is sufficient to recall the memory of guilt. A word, a look, a gesture, nay, the absence of all, or of any of these, will equally answer the purpose. Hence it is, that in the play of Hamlet, the king, upon seeing the representation of a person who had murdered his brother, and married that brother's wife, is so struck with a sense of his guilt, that he falls into an universal tremor, and is obliged to leave the place. And hence it is, that no man, who is not perfectly hardened,

dened, can patiently bear the mention of a crime, of which he is conscious that he himself is guilty.

I was naturally led unto these reflections, upon hearing, that the j—e at Guildford had strictly prohibited all the evidences in the trial of *Maclean* from using the word MASSACRE, when talking of the *slaughter in St. George's-Fields*; and that most of the courtiers, from the *Secretary at W—r at Whitehall* to the *Necessary Woman at St. James's*, have adopted the same ridiculous scruples. Now, Sir, what could this proceed from but a guilty conscience? But though, as *Hotspur* says,

*They would not have me mention MASSACRE;
Forbid my tongue to speak of MASSACRE:
Yet, I will find them when they lie asleep,
And in their ears I'll holla, MASSACRE!
Nay, I will have a starling taught to speak
Nothing but MASSACRE, and give it them,
To keep their GUILT STILL BEFORE THEM.*

For if not a MASSACRE, by what other name then shall we call it? Shall we, with the smooth-tongued Secretary at War, call it merely a *disagreeable circumstance*? It is, in truth, a most *disagreeable circumstance*; such a disagreeable circumstance, as hath not happened in ENGLAND for these fifty years and upwards; and which, if some greater reparation be not made, than hath yet been made, to the surviving friends of those who have been murdered, and to the constitution of ENGLAND, which hath been wounded through their sides, may perhaps prove the cause of still *more disagreeable circumstances*. The ENGLISH, though a patient, are a resolute people: though slow to anger, they yet know how to resent an injury: and, though extremely backward in taking into their own hands the redress of their wrongs, yet, whenever they do take it, they seldom perform the work by halves, but compleat it with vengeance; witness the Civil Wars in the reign of king CHARLES the First, and the Revolution in that of king JAMES the Second.

Nor ought this averseness of the ENGLISH to revenge to be ascribed, as their enemies are but too apt to ascribe it, to any constitutional dulness of temper; for no people, possessed of the same share of good sense and sound judgment, was ever endued with greater vivacity and quickness of spirit. But it arises entirely from the nature of their government, which furnishes them more effectually, than any other government, ancient or modern, with the means of obtaining a redress of their grievances in a legal manner. And, in fact, it will be found, that, making allowance for the difference of climate and some other circumstances, all nations are more or less revengeful, in proportion to the badness or the goodness of their government. *Savages*, it is well known, are extremely *revengeful*, and for this good reason, that being totally destitute of any regular government to protect them in the enjoyment of their life and their property, they are obliged to procure, with their own hands, that security, which the laws cannot afford them. The case is nearly, though not exactly, the same

same in a despotic government, where every thing depending upon the wayward will of a cruel, and perhaps a capricious tyrant, the subjects derive little other benefit from government, than if they had no government at all. Thus it is certain, that the *people* of JAPAN are almost as revengeful as the *Javages* of AMERICA. In a word, if we take a view of all the different nations in the world, we shall find this remark to hold universally, that the spirit of revenge in any people is nearly in proportion to the nature of their government. Even in our own country, the IRISH, and the SCOTS, at least the SCOTCH HIGHLANDERS, are much more revengeful than the ENGLISH; for having more lately attained, if indeed they have yet attained, the same knowledge of a mild and equal government with their fellow-subjects in ENGLAND, they are less inclined, than these last, to leave the revenge of their wrongs to the civil magistrate, but are more apt to revenge them with their own proper hands. But this proceeds not, as some people would persuade us, from any superior quickness of spirit, or aptness to resent, in the former than in the latter; but merely from their having lived longer in what may be called a *state of nature*, and being, as yet, less habituated to the salutary restraints of civil authority. Let not, therefore, our ministers presume too far on the quiet and peaceable demeanour of the ENGLISH. Their spirit, it is true, is not easily roused; but when once it is roused, let those who have roused it, tremble at the consequence. They are not very apt to revenge every petty and trifling injury: but when once their injuries are become altogether intolerable, when once the measure of their sufferings is completely full, they will probably rise with one consent, and, like an irresistible torrent, carry every thing before them.

That period, however, I hope, is yet at a considerable distance; for I can by no means allow, what is asserted by some turbulent spirits who wish to involve every thing in anarchy and confusion, that the injuries they have already received, however great and unmerited, are sufficient to justify this last, this desperate extremity. But, though they are not sufficient to justify this last extremity, yet are they sufficient to add a considerable article to the score of their public grievances, which, if not remedied and redressed in time, may at last swell up to such an enormous size, as to justify this or any other extremity. Nor do I see any way to prevent this dreadful and alarming consequence, but by calling to a strict account, and even subjecting to a severe punishment, those who were the original authors of the late *horrid* MASSACRE; and who should these be but the ministers, who issued the barbarous orders for firing upon a harmless and unarmed multitude? Some of these ministers, I suppose, at the time of issuing the orders, had just finished their evening's debauch; and perhaps the *Prime Minister* had just risen from an amorous dalliance with his *chaste and faithful Dulcinea*: nay, it is not unlikely, that the orders may, in part, have been of *Nancy's* own framing; for it is a notorious fact, that the most cruel and bloody orders have sometimes issued from the *bed of unlawful pleasure*, from the *couch of whoredom and adultery*.

But, whoever were the persons that issued these orders, I hope
to

to see their conduct severely scrutinized by a patriotic house of commons, and such a mark of infamy stamped upon their characters, as will for ever render them incapable of issuing any such orders for the future. And I will venture to affirm, that, without some such signal satisfaction given to the friends of the deceased, and to public justice, the late horrid MASSACRE will never be forgotten nor ever forgiven; and though it do not excite, as, I hope, it will not excite, the people to take into their own hands the execution of the laws, and the revenge of their own injuries, yet will the memory of it be carefully treasured up for some after-day of reckoning. And whenever that day of reckoning does come, as, if such unconstitutional measures are pursued, it must, I am afraid, very soon come, it will pour poison into the wound already made, and will render the breach infinitely more incurable.

It was, I think, about the year 1742, that a body of HIGHLANDERS was enlisted in the army, on a solemn promise of never being sent out of the kingdom. Soon after, however, orders were given for transporting them into FLANDERS: upon which a large party of them deserted, and set out for their native country. But being immediately pursued by a body of horse, they were easily overtaken, and brought back to London. Three of them were shot to death *in terrorem*; and the rest banished to the plantations. This cruel treatment, it is said, was never forgiven by the HIGHLANDERS; and was justly considered as one of the chief causes of the rebellion, which broke out about three years after. I have, indeed, admitted, that the ENGLISH are much less revengeful than the HIGHLANDERS; but this is entirely owing to their having been always accustomed to obtain a redress of their grievances in a legal and constitutional manner. For should ever this redress be denied them, I would not answer for the consequence. The desire of obtaining justice then degenerates into a spirit of revenge; and the spirit of revenge is, in certain circumstances, equally prevalent in the most polished citizen and the most unpolished barbarian.

But though I wish not, that the shocking cruelties, which have been lately exercised upon my innocent countrymen, should tempt them to have recourse to any illegal or unconstitutional means of procuring redress, yet could I wish that the ministry would furnish them with some such legal and constitutional means of procuring it, as might free them from those bitter reproaches and cutting sarcasms, which are daily vented against them. For 'tis almost impossible to enter any company, public or private, without hearing FOREIGNERS, IRISHMEN, SCOTCHMEN, nay, the very jacobite part of the SCOTTISH NATION, nay, the very officers and soldiers of the THIRD REGIMENT of guards, who committed the MASSACRE, upbraiding the ENGLISH with their tameness and pusillanimity, in thus suffering themselves to be knocked on the head, like so many bullocks destined to slaughter, without daring to complain, much less to resent it. The SCOTS, in particular, are perpetually vaunting their own heroism and gallantry (as they are pleased to term it) in hanging captain *Porteous*, after he had obtained a reprieve from the *Queen*, while the English have not only suffered the *murderer of their countryman* to escape without

out punishment, but even can bear to see him now receiving a *pension* from the cr——n.

This conduct of the SCOTS, however, is rather somewhat impolitic; as, were the ENGLISH to exercise their just right of revenge, the SCOTS themselves would be the most considerable sufferers. Unless, perhaps, they think they are so firmly established in their usurped power, that they have nothing to fear from the resentment of the ENGLISH; and that the period is now arrived, foretold by one of their countrymen, the duke of *Lauderdale*, who, in the beginning of the reign of *king CHARLES the Second*, when the question was agitated about demolishing the forts which CROMWEL had erected in SCOTLAND, observed, that republican principles had been, and still were, very prevalent among the ENGLISH, and might again menace the throne with new tumults and resistance: *that the time would probably come, when the king, instead of desiring to see ENGLISH garrisons in SCOTLAND, would be better pleased to have SCOTCH garrisons in ENGLAND, who, supported by ENGLISH pay, would be fond to curb the seditious genius of that opulent nation:* and that a people, such as the SCOTS, governed by a few nobility, would more easily be reduced to submission under monarchy, than one, like the English, who breathed nothing but the spirit of democratical equality. How far this prediction is already fulfilled, or is likely soon to be fulfilled, I leave to be determined by more profound politicians.

As to the *murderer* who has escaped, and now enjoys a pension, I have only to observe, that neither the *justice*, who, knowing him to be guilty, suffered him to escape, nor the *ministry*, who now know him to be guilty, and yet have taken no steps towards apprehending him, can, by any means, be justified. How far a *justice*, to whom a *felon* has made a confession of his crime, is at liberty to let such *felon* escape, I will not pretend to say. I only know, that there is an express law, which declares, that he who arrests a *felon*, and then suffers him voluntarily to escape, is *himself guilty of felony**; and wherein lies the difference between suffering a *felon* to escape after you have arrested him, and not arresting him when you might and ought to have arrested him, I submit to the decision of the learned in the law: to a person, I believe, of common sense it will appear, that there is very little, if any, difference.

As to the conduct of the m——y, it is, if possible, still more criminal. The ——, I think, by his c——n-oath is bound to see impartial justice done to all his subjects. But one of the most essential branches of justice is the bringing of *murderers* to condign punishment. Nor is he at liberty to perform, or not perform, this part of his duty, as he pleases: he is as much bound to perform it, as any of his subjects are bound to obey any one law of the land. But here is a *murderer* not only not brought to condign punishment: he is even assisted by the m——y in making his

* Cramp. Just. 36.

escape:

escape: nay, he is rewarded, and that too for the very crime of murder, with a *pension* from the c——n. How far this is consistent with the oath, which his —— took at his c——n, I leave to the decision of every unprejudiced person; and whether such a conduct, if frequently repeated, or regularly continued, would not be attended with consequences, which it is much safer to conceive in imagination, than to express in words. I am, Sir,

Yours, &c. F. G.

To the NORTH BRITON.

S I R,

WHAT, in the name of wonder, could induce you to declaim so violently, in your 61st number, against the scheme that has been formed of establishing *episcopacy* in AMERICA? You seem not, in fact, to have sufficiently considered the *virtuous principles*, and *exemplary lives*, of the chief friends and advocates of this pious project. What, now, would you think of the D—— of G—— for an *American bishop*? I am sure he is as well qualified for the office of a *bishop* as for that of first L——d of the Tr——y; and would make as good a figure at the head of a convocation as at the head of the ministry. His *chaste Handmaid* too, *Miss Nancy P——rs—ns*, might perhaps be persuaded to act the part of an apostle in this meritorious work of propagating episcopacy. Women, we know, among the Quakers, are readily admitted to teach the brethren, and are considered as proper vehicles to convey the dictates of the Holy Ghost. And if among the Quakers, why not among Christians of other denominations? But I hope, that if ever *Nancy* should assume this sacred character, she will not follow the example of a female Quaker in the time of Oliver Cromwel, who came stark naked into the church where the Protector sat; being moved by the spirit, as she said, to appear *as a sign* to the people. I doubt not, indeed, but *Nancy* has appeared *as a sign* to many people; and that if all the people, to whom she has appeared *as a sign*, were to be collected together, they would form a very numerous, though perhaps not a very respectable, congregation. But I question much whether the AMERICANS are yet accustomed to see *such signs*; and I would therefore advise *Nancy* to reserve such *exhibitions* for the bed-chamber of her kind keeper. I am, &c.

D. M.

ON Wednesday, the 17th instant, lord Mansfield signed an *Habeas Corpus* for Mr. Bingley, publisher of Numb. 50 and 51 of the NORTH BRITON; and on Monday last, the 22d instant, his lordship came to town, and the sheriff's officers carried Mr. Bingley to his lordship's house; where, on entering into two different recognizances for his *appearance only*, on the first day of next term, in the court of King's-Bench, he was discharged. Mr. Bingley has not entered into any recognizance to answer interrogatories upon attachment; which many gentlemen of the law apprehend to be an illegal power claimed, to force a man to accuse himself; and that imprisonment, in this manner, may be made to answer, in our country, what torture does in others. It is very remarkable, that Mr. Bingley's is the first instance of a *Habeas Corpus* being allowed, in what a court of law has construed to be a contempt. Mr. Bingley's recognizance for himself was twice 300l. and the four sureties in 150l. each!!!

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THE
NORTH BRITON.

N U M B E R L X I V .

To be continued every *Saturday*. Price Two-pence **Halfpenny**.

SATURDAY, SEPTEMBER 3, 1768.

Male verum examinat omnis
Corruptus iudex. HOR.

To the NORTH BRITON.

S I R,

IN every government; whether it be a *republic*, like that of HOLLAND; a *limited monarchy*, like that of ENGLAND; an *absolute monarchy*, like that of FRANCE; or a *despotic government*, like that of TURKEY; there are three sorts of power, the *legislative*, the *executive*, and the *judiciary*: and the more distinct these powers are kept, so much the better. In a *despotic government*, all these powers are united in the person of the *prince*, who *makes, explains, and executes the law*; and to this cause it is owing, that, in such kind of governments, the unhappy people groan under the most dreadful oppression. In an *absolute monarchy*, the *sovereign* usually reserves to himself the two first powers, and leaves the third to his subjects. But in a *free government*, these three powers ever have been, at least ever ought to be, kept separate; because, were all the three, or any two of them, to be united in the same person, the liberties of the people would be, from that moment, ruined. For instance, were the *legislative* and *executive powers* united in the same magistrate, or in the same body of magistrates, there could be no such thing as liberty; inasmuch as there would be great reason to fear, lest the same monarch, or senate, should enact tyrannical laws, in order to execute them in a tyrannical manner. Nor could there, it is evident, be such a thing as liberty, were the *judiciary power* united either to the *legislative*, or to the *executive*. In the former case, the life and liberty of the subject would be necessarily exposed to the most imminent danger; because, then, the same person would be both judge and legislator. In the latter, the condition of the subject would be no less deplorable; for the very same person might pass a cruel sentence, in order, perhaps, to execute it with still greater cruelty.

Hence it is, that I have frequently been led to wonder, how, in a government like that of England, which is justly considered

as one of the freest and most perfect that ever yet existed, *judges* should be allowed to be *members of the legislature*. True it is, that, by an express law, the *judges* of the KING'S-BENCH and COMMON-PLEAS, and the *barons* of the EXCHEQUER, are declared incapable of being chosen members of the lower house; but persons having judicial places in the other courts, civil or ecclesiastical, may be so chosen. And even the *judges* of the KING'S-BENCH and COMMON-PLEAS, and the *barons* of the EXCHEQUER, may be made peers of the realm, and, of consequence, members of the upper house: a privilege, it is manifest, still more inconsistent with the spirit of a free government; as, instead of temporary, they are thus rendered perpetual, members of the legislature. The two *chief justices* are commonly gratified with the honour of a peerage; and if few of the *puisne judges* are promoted to that dignity, it is, probably, more owing to some other cause, than to any regard for the liberty of the subject.

The consequence of this dignity being conferred upon *chief justices*, is, that most of those, upon whom it has been conferred, have shewn themselves, ever after, true prerogative-lawyers, and staunch court-sycophants; ready to wade through thick and thin, to serve the purposes of those, to whom they owed their advancement; eager to second every wicked design of every wicked minister; and zealous to sacrifice the privileges of the people to the power of the crown, or, as they are pleased to phrase it, to the support of government.

But, perhaps, it will be said, that *judges* cannot be the authors of so much mischief as I would here insinuate; for that all causes being determined by *juries*, upon whose verdict, ultimately, depend the acquittal or condemnation of the defendant, the judge has little more to do than to superintend the trial, and to preserve inviolate the *forms* of justice. Would to God that this were always the case! By the constitution of ENGLAND, I know, it always ought to be the case; and those judges have ever been esteemed the most just and upright, who have regulated their conduct by this salutary maxim. Nor would I, for my own part, seek any surer criterion of the honesty and integrity of a judge, than his allowing a jury to follow their own judgment. But can this compliment be paid to a judge, who confounds, controuls, and browbeats a jury? Peremptorily commands them what verdict they ought to return; and, if they do not return a verdict agreeable to his sentiments, sends them back with menaces, and with strict injunctions to return another verdict? Who changes, garbles, and packs a jury, rejecting some, and admitting others, without any other reason than his own sovereign pleasure? Who takes every opportunity to blast the reputation of juries, by declaring from the bench, that the trial by jury would be the very worst of all, were it not for the controuling power of the judge? Who uses a *jury* as a mere *stalking-horse*, to blind the eyes of the people, by making them believe, that they are tried by their peers, while, in reality, they are tried by the arbitrary will of a time-serving courtier? Who, in all his speeches, is perpetually talking of supporting the measures of the government, that is, the prerogative of the crown, but never once of supporting the privileges of the people; as if the sole duty of a judge were to assist the *great* in oppressing the *little*, and not to protect the *little* against the oppressions of the *great*? Who, not only in his private but
in

in his judicial capacity, affects to despise the sentiments of the public, whom he politely calls the giddy mob, the giddy multitude? And whom it must, indeed, be ingeniously confessed, he very cavalierly treats as such.

And, in truth, how can it be expected, that a man, who pays no regard to the sentiments of the public at large, should pay any regard to the sentiments of a part of it, that is, of a *jury*? For, what is a *jury*, but a small part of the people selected to try a particular cause? And is it to be supposed, that a part of the people should breathe a different spirit, or give a different decision, from the people themselves? In a word, it may be laid down as an infallible maxim, that the man, who shews no respect for the sentiments of the people, will shew none for the sentiments of a *jury*, which is only a part of the people; and that he, who shews no respect for the sentiments of a *jury*, is a very improper person to be a *judge* in ENGLAND, where most causes are, and where all causes ought to be, tried by a *jury*.

But even supposing *juries* were allowed to exercise their undoubted and unalienable right of following freely their own judgment, in all causes that come before them, and of returning verdicts agreeable to the dictates of their own conscience, without the least controul from the *judges*; still it is certain there are many causes, which, however *legally*, may yet be said to be *unconstitutionally*, tried in ENGLAND, without the least intervention of a *jury*. I do not here allude to the trials that are held before the *commissioners of excise*, which are plainly inconsistent with the spirit of a free government; but I allude to the trials, no less arbitrary and unconstitutional, that are held in the court of *King's-Bench* by *information* or *attachment*. In the former case, the defendant is deprived of the advantage of having his cause examined by a *grand jury*; in the latter, he is deprived of the advantage of having it examined by *any jury at all*. The former seems to contain not only the spirit, but even the very substance, of the court of *star-chamber*; and may justly be considered as the same jurisdiction transformed into another shape. For, such practices—I cannot call them crimes—as no *grand jury* would present; such indictments, as the county would never find *Billa Vera*; these have sometimes, and, I am afraid, but too often, been punished by *information* in the *Crown-Office*. The validity of the *information* is left to be determined by four persons, *judges of the King's-Bench*. The *penalties* too are entirely *discretionary*; and the *jury*, that tries the *information*, are generally strangers to the consequences of their *own verdict*.

How the court of *star-chamber*, after being solemnly abolished by the legislature, came to be revived in another form, I may, perhaps, enquire more particularly on some future occasion. At present, I shall only observe, that it was probably owing to the *arbitrary dictates* of some *overbearing minister*, and the *mean compliance* of some *time-serving judge*, who alledged, that that court being taken away by the parliament, all the power it ever claimed from the *common law*, that is, all the power it ever exercised, was thereby devolved on the court of *King's-Bench*. Hence *informations* and *pillories*, *finés* and *imprisonments*, with *bonds for good behaviour*, besides that intolerable and astonishing expence, which those sustain, who are worried and baited in the *Crown-Office*. The knavery and absurdity of this doctrine are equally egregious; for hence it would follow, that the *legislature* never meant to abolish

this

this court, but only adjourned it to *another place*. Instead of an *English bill*, they thought a *Latin information* more wholesome; and ordained, instead of a *chamber*, whose roof was spangled with *stars*, a *bench* well *bolstered* and *cushioned*: a species of logic, it must be owned, which is wonderfully honest; and which, as it serves to set up an *inquisition*, must undoubtedly have been learned at *St. Omer's*.

The method of proceeding by *attachment*, is, if possible, still more *unconstitutional*. For here the defendant is not only not favoured with a *grand*, he is not even favoured with a *petit jury*. The accusation, the trial, the punishment—every thing is arbitrary. Such a power, perhaps, may be essentially necessary to *all courts of justice*, in order to procure to them a proper degree of respect and deference from *their own members*; and against *such members alone*, I believe, it has hitherto been exerted. YOUR PUBLISHER, Mr. North Briton, is, to the best of my knowledge, *the first person, independent of any court of justice*, who has felt the weight of this terrible weapon. He has already, I think, suffered an imprisonment of about three months in *Newgate*; and what further punishment he may have to suffer, for the *same supposed crime*, time only can discover.

I might easily mention a variety of other instances, in which judges possess, at least exercise, a *discretionary power*, to the great prejudice of the property, and even to the endangering of the life and liberty of the subject. But I shall content myself at present with one other particular; and that is, the privilege they claim of *altering records*; a privilege, which frequently hath been, and may again be, attended with the most pernicious consequences, and which, in the case of Mr. Wilkes, was so fatally exerted, as to induce the learned and public-spirited lawyer *, who managed the cause, to address the court in the following pathetic terms: “*My lords, I have now done with my client and his cause. Your lordships will determine according to your wisdom. But here let me intreat you, for the sake of the safety of every subject of this nation, that your lordships will be pleased to fix some limits to the discretionary power of altering records; that we may know, for the future, when we can be certain of the cause we are to plead, and that the subject may not be liable to ruin at the discretion of a judge.*”

But, in order to know more fully what *mischief* arbitrary and despotic judges may do, it will be necessary to take a short view of what *mischief* they have done; and whoever will look into the English history, will find, that they have not only destroyed infinite numbers of innocent persons, but, had they not been restrained by the people and the parliament, would, even more than once, have destroyed the constitution itself. Witness that *famous*, or rather *infamous*, lord chief justice of the court of King's Bench, Sir Robert Tresilian, who, with his brother judges, in the reign of king Richard the Second, formally gave it as his opinion, that those who straitened the king in the exercise of his prerogative, ought to be punished as *traitors*: that the king had a right to call and govern a parliament, to propose the subjects of their deliberation, and prescribe the method in which they should proceed: that those who postponed the subjects so specified, and proceeded to other business, contrary to the king's pleasure, were guilty of *treason*, and

* Mr. Serjeant Glynn.

ought to be punished accordingly: that the Lords and Commons had *no right to impeach* in parliament any of the *king's judges, or officers*, without the leave of his majesty; and that those who took that liberty were *traytors*. This opinion was regularly subscribed by all the judges, who willingly assented to this iniquitous declaration; all of them, I mean, except *Belknap*, the chief justice of the Common-pleas; who, after having subscribed the instrument, said, "Now I want nothing but a horse, a hurdle, and a halter, to bring me to the death I deserve, for thus betraying my country." To that death, however, he never was brought; he was only condemned to perpetual exile in *Ireland*: but *Sir Robert Tresilian*, as the *arch-traytor*, was hanged upon the gallows at *Tyburn*.

The same were the sentiments, and nearly the same the conduct, of the prostituted *judges* in the reign of *king Charles the First*, who, in the famous affair of *ship-money*, declared, "That, in a case of necessity, for the defence of the nation, the king might levy taxes upon the people by his sole will and pleasure; and that he himself was the only judge of that necessity." It must be acknowledged, however, for the honour of the long robe, that four of the twelve had the virtue and courage to dissent from this villainous decision. Nor must I omit to take notice of the *judges* in the reign of *king Charles the Second*, who assisted that arbitrary and abandoned monarch in disfranchising, contrary to all law and equity, the city of London, and most of the corporations in the kingdom.

The barbarity of *Jefferies* is so well known, that it is almost needless to mention it. It may only be proper to observe, that, in the progress which he made through the Western counties, after *Monmouth's* rebellion, he condemned to death about six hundred persons, near one half of whom were actually executed, besides those that suffered in other parts of the kingdom; and that the blood-thirsty savage was heard to boast, that he had hanged more men than all the judges in England since the time of *William the Conqueror*. If *Jefferies* could not say, *Fiat Justitia et ruat Cælum*, he could at least say, *Fiat Justitia et pereant homines*; and might apply to himself what was applied to the ROMANS by one of their enemies, *Ubi solitudinem faciunt, ibi pacem appellant*: he restored the peace of the country by destroying the inhabitants. This conduct recommended him so strongly to the favour of the court, that he was made a *peer of the realm* and *Lord High Chancellor*. But the people seem to have entertained a very different, and a much more just, opinion of his merit; for, in the tumults that happened on the eve of the Revolution, he was so roughly handled by the mob, that he died, soon after, of the wounds he had received.

While the great oracles of the law were so venal and abandoned, it could not be expected, that the inferior ministers of it should be much more upright: while the fountain was so foul, the streams could not well be clear: while the *judges* sold the law to the king, the *justices of the peace* sold it to the people. This appears evidently from a speech made by one *Mr. Glasscock*, a member of parliament in the reign of queen Elizabeth, who said, "We use so much levity in our law, that we had as good make no law; for we give a penalty, and to be brought before a justice of peace. Here is wise stuff. First, mark what a justice
" of

“ *of peace* is, and we shall easily find a gap in our law. *A justice*
 “ *of peace* is a human creature; yet, for half a dozen of chickens,
 “ will dispense with a whole dozen of penal statutes. These be
 “ the *basket-justices*, of whom the tale may be verified of a *justice*
 “ that I know, to whom one of his poor neighbours coming,
 “ said, Sir, I am very highly rated in the *subsidy-book*; I beseech
 “ you to help me. To whom he answered, I know thee not.
 “ Not me, Sir? quoth the countryman: why your worship had
 “ my team and my oxen such a day, and I have ever been at your
 “ worship’s service. Have you so, Sir, quoth the *justice*? I
 “ never remember I had any such matter; no, not a sheep’s tail.
 “ So unless you offer sacrifice, to the *idol-justices*, of sheep and
 “ oxen, they know you not. If a warrant comes from the lords
 “ of the council to levy a *hundred men*, he will levy two hundred;
 “ and what with chopping in and chusing out, he will gain a
 “ *hundred pounds* by the bargain.”

This severe reprehension of *some justices*, in that reign, gave offence to the *court-members*, who represented it as a general reflection on *all the justices in England*, and moved, that Mr. Glascock might be obliged to justify himself; upon which he rose up, and explained himself in the following manner:

“ In that I am taxed to tax *justices of peace*, I am to pray the
 “ house to give me leave to make an apology for myself. Mr.
 “ *Speaker*, I will not deny what I spake, and protest it in my conscience, I spake only of the *inferior sort of justices*, commonly
 “ called *basket-justices*. Against these I will not speak what I spake
 “ last, but other matter in other terms. They be like the wise
 “ men of *Chaldee*, that could never give judgment till they saw
 “ the *entrails of beasts*. Our *statutes penal* be like the beast in the
 “ morning, at his full growth at noon, and dead at night. So *these*
 “ *statutes*, quick in execution, are like a wonder for nine days: so
 “ long after, they be at the height; but, by the end of the year,
 “ they are carried dead in a basket to the *justice’s house*.

I am, &c. D. O.

LONDON: Printed for W. BINGLEY, opposite Durham-Yard, in the Strand; by whom Letters to the NORTH-BRITON are received.

THE dismissal of GENERAL AMHERST has caused much altercation, and at present the public in general are as much at a loss to form any distinct idea of the truth of this extraordinary affair, as though a word had never been said concerning it. It is necessary, therefore, to inform the public, that in Number V. of the CONSTITUTIONAL MAGAZINE, price Sixpence only, is given a narrative of the whole of this transaction, from the time the general was sent for by a Great Personage, to give his opinion concerning the Colonies, to that of the order of council for his dismissal from his government.

There are many political and literary articles in this and the four preceding Numbers of the Constitutional Magazine, too numerous for an advertisement.

Printed for W. BINGLEY, opposite Durham-yard, in the Strand.

T H E

N O R T H B R I T O N .

N U M B E R L X V . (or XIX. of the CONTINUATION.)

To be continued every Saturday. Price Two-pence Halfpenny.

S A T U R D A Y , S E P T E M B E R 10 , 1768 .

To the N O R T H B R I T O N .

S I R ,

C O N S I D E R I N G the general spirit and tendency of your papers, I have great reason to doubt, whether you will insert the following letter, as it is written in defence of a nobleman, whom you and your brother-essayists have loaded with much *unmerited* abuse; and who yet, if his character were thoroughly known, would be found to be more deserving of the *praise*, than of the censure, of his fellow-subjects.

I am, yours, &c.

J. M.

I N order to demonstrate, in the clearest manner, our candour and impartiality, we have readily given a place to our correspondent's letter; though we question much whether the nobleman, to whom it is addressed, will thank the author for the compliments he has paid him.

To the Right Honourable JOHN Earl of B——E, one of his Majesty's most Honourable Privy-Council.

SEMPER HONOS, NOMENQUE TUUM, LAUDESQUE MANEBUNT.
VIRG.

M Y L O R D ,

I Have long beheld, with equal surprize and concern, the many invidious reflections, that have been made upon your conduct, ever since you became our *first minister*, or *prime vizir*; for that you are now, and have been for these eight years past, our *first minister*, or *prime vizir*, I am so far from being ashamed, that I am even

even proud, to acknowledge. It has ever, I think, been deemed a maxim in *physicks*, that FRUSTRA FIT PER PLURA, QUOD PER PAUCIORA FIERI POTEST: *it is needless to employ a number of agents, when a few will as well, or better, answer the purpose.* The same maxim, *my lord*, will hold true in *politics*: it is needless to employ a number of ministers, when one will equally serve the ends of government.

Simplicity of design, *your lordship*, who is a philosopher, knows, and, its consequent, facility of execution, is one of the greatest recommendations of any work of art or nature. All the revolutions of the heavenly bodies are performed by the mere force of gravity, which makes them tend towards the sun, as their common centre; in the same manner as all the different *ministries* we have had for these eight years past, have tended towards *your lordship*, as their no less common centre. At first, indeed, you appeared in all the majesty of your meridian splendour, diffusing light, and heat, and life, to the most distant parts of the political system; and though, for some time, you have thought proper, or rather have been obliged, to retire behind a cloud, yet is not your influence, on that account, lessened. To vulgar eyes, perhaps, it may have become somewhat less apparent; but those who are possessed of the least degree of sagacity, can easily see through the veil; and all, I believe, who have places under the government, feel your *attractive power as irresistible as ever.*

I shall, therefore, consider *your lordship* as the true source of all the public measures, that have been adopted for these eight years last past; and as some of these measures have been most grossly misrepresented by *anti-ministerial writers*, I shall endeavour to justify them to the best of my power, and to vindicate, as well *your lordship*, the original author, as the different *ministries*, your subordinate agents. And first, as to those measures which *your lordship* not only planned with your own head, but may be literally said to have executed with your hands, I shall be as brief as possible, both because these measures are now become rather somewhat obsolete, and because they have already been canvassed and examined by other writers. Your lordship's first measure, after your accession to power, was the dismissing from his majesty's service, the *Whigs*, the old and tried friends of the *Protestant succession* and the *Brunswick family*, and substituting in their room the *Tories*, the inveterate and irreconcilable enemies of both. This, say your adversaries, must necessarily have been done with one of these two designs; either to pave the way for the restoration of your namesake and relation at Rome, by rendering the present family odious; or, if that was impossible, at least to bestow, upon the present family, an arbitrary and despotic power, and thus to destroy the constitution of England. But who ever told these *Wiseacres*, that to have a regard for one's relation, was a crime? It may be so, perhaps, in their system of ethics; but it never was, and, I dare say, it never will be one in that of *your lordship*. It may likewise be said, and, indeed, it has often been said, that a real *patriot* ought to sacrifice all his private affections to his love for his country. But I never heard that *your lordship* laid any claim to the title of a patriot, which has
always

always been considered, in the court dictionary, as only another name for a *fool*; a character, I believe, which no one that knows you, will ascribe to your lordship. Add to this, that, in the opinion of all *true Tories*, that is, of all *true Jacobites*—for these words, it is evident, are convertible terms—your relation at Rome is possessed of the *true, divine, indefeasible, hereditary right*, which can never be destroyed by any *act of settlement*, or any other *act* of any *human legislature*. I am, therefore, surprized, how any one can object to you as a crime, what ought to be considered as a most meritorious action; the discharging to your relation the duty which you owe him, and the endeavouring to fulfill, or rather to re-establish, the decrees of Heaven, which have been unhappily thwarted by those malignant spirits, the *Whigs* and *Revolutionists*. But if those malignant spirits, though now expelled, by your lordship's interest, from all those places of trust and profit, which they continued to possess for seventy years and upwards, should yet retain sufficient power and influence to prevent the accomplishment of your grand design of restoring your relation, I hope, however, they will not be able to prevent the accomplishment of your other design, of bestowing absolute and despotic power upon the reigning family. For, consider, *my lord*, the many great and inestimable advantages that would necessarily result from the completion of such a project. Instead of being obliged, as you are now obliged, to watch the humour of a factious house of commons, or of a haughty house of lords, you would be troubled neither with the one nor with the other; for, I believe, it may be admitted as an indisputable truth, that, the moment a sovereign becomes despotic, he has no further occasion for parliaments. Instead of having your ears pestered, or your tranquillity disturbed, with those torrents of obloquy, which are daily issuing against you from the press, you may, with one blow of your hand, or one stamp of your foot, crush to atoms all the authors, printers and publishers in England. In a word, *my lord*, your master may enjoy, and you may exercise, the most unbounded and uncontrouled authority, without the least restraint, from the parliament or the people; and you may, in effect, be as absolute as the *prime vizir* of TURKEY, or the *viceroi* of TONQUIN.

I can only think of one obstacle to the accomplishment of this scheme, and that is, the determined resolution which the *Brunswick-family* have ever shewn to maintain inviolate the privileges of the people; and, as our *present amiable sovereign* possesses this resolution in as high, if not in a higher degree than either of his predecessors, this obstacle, I doubt, will prove altogether unsurmountable. But *your lordship*, they say, is endued with surprising powers of eloquence; and who knows what you may be able to effect in some lucky and auspicious moment? Persevere, therefore, *my lord*, in your *patriotic* endeavours; for though you should never succeed, as I'm afraid you will, you will yet have the satisfaction of thinking that you have exerted your utmost abilities in a good cause; and you may justly adopt the following sentiment of CATO,

'Tis not in mortals to command success:
But we'll do more, Sempronius; we'll deserve it.

Another

Another charge, and as groundless as the former, which your adversaries bring against you, is, that, at the conclusion of the late peace, you restored to the enemy all, or, at least, almost all the conquests, which we had made during the war. But I think, that, instead of blaming you for restoring so much, they ought rather to blame you for restoring so little: for if, instead of restoring barely *Martinico*, *Guadalupe*, the *Havannah*, the *Manilas*, &c. &c. &c. &c. you had likewise restored *Canada*, which, if I rightly remember, was the only conquest we retained, we should not now have been reduced to the disagreeable necessity of drawing our swords against our fellow-subjects in AMERICA; as the FRENCH, I am persuaded, would have effectually secured the peace of the colonies, and, I dare say, would, by this time, have eased us of the trouble of levying taxes upon them. Besides, that the terms of the peace were rather too hard for the enemy, is undeniably evident from this circumstance, that they have not yet been able to perform them; witness the *Manila* ransom, which is still unpaid, and the fortifications of *Dunkirk*, which are still undemolished.

BUT the ENGLISH, *my lord*, are naturally a peevish and discontented people; always complaining, and yet, if you ask them a reason for their complaint, they are hardly capable to assign one. For, not satisfied with the two charges against you, which I have just now refuted, they urge a third, and say, that, ever since your introduction into office, you have laboured, and unhappily but with too much success, to render the government perfectly ridiculous, by making a greater number of changes in the administration within these eight years past, than, perhaps, were made in it during the eighty years preceding; converting thus, through ignorance or malice, the most commendable of your actions into a most black and atrocious crime. I have, indeed, admitted, that *simplicity* of design is one of the greatest beauties of any work of art or nature; but *variety*, it is certain, is no less a beauty, especially if it be joined with *uniformity*; for these two last, if I am not mistaken, are represented by HOGARTH, in his *Analysis of Beauty*, as the principal ingredients in this charming quality.

That we have had, during these eight years, a surprizing *variety* of *ministers*, no one can forget, who has not lost his memory; nor will any one, who is possessed of the same useful faculty, deny, that these various *ministries* have acted, in many things, with the most perfect *uniformity*. When I say *uniformity*, I mean that, they have acted *uniformly* in opposition to the sentiments of the people; and this, I think, may be considered as an irrefragable proof of the rectitude of their measures: for the people are not only generally, but always, in the wrong. HORACE, indeed, says, that they are sometimes in the right; *interdum vulgus rectum videt*; but HORACE, though a great poet, and a greater wit, was but a shallow politician; and as such he was regarded by AUGUSTUS and MÆCENAS, who, though they frequently admitted him into their parties of pleasure, never consulted him in any state-affairs. POPE, too, seems to be of the same opinion, and to think, that many persons, by refusing to follow the sentiments of the people, have run into error:

So

*So much they scorn the croud, that if the throng
By chance go right, they purposely go wrong.*

BUT POPE, it is well known, was a still weaker politician than HORACE.

But what is worse, *my lord*, many persons, who were professed politicians, and were universally acknowledged as the most profound politicians of their age, have thought, that, however apt the people may be to err in some points of inferior moment, yet, in great national points, they are very seldom, if ever, mistaken. But these men, however great politicians they might be in their own age, would make but a very poor figure in this, when the system of politics is entirely changed, and when your *lordship's* system, in particular, has established it as an uncontrovertible fact, that the body of the people are always in the wrong; and that, therefore, a *ministry* that acts in direct opposition to the people, must necessarily be in the right. And, as all our numerous *ministries*, for these eight years past, have acted in this manner, it of course follows, that they have pursued, at once, and by the very same means, the public interest, and, what is no less to be regarded, their own private advantage.

It must, indeed, be confessed, that, though our different *ministries* have observed the most exact *uniformity* in acting in opposition to the sentiments of the people, yet have they, in other respects, acted in direct contradiction to each other; all of them having gained their popularity and their places by undoing what was done by their predecessors. *Your lordship*, while you appeared visibly at the head of affairs—for, as I remarked above, though you have now thought proper to retire behind the curtain, yet are you as actually at the head of affairs, as when you presided at the Treasury-board—I say, your *lordship*, while you appeared visibly at the head of affairs, imposed a duty upon the cyder-counties: this was immediately repealed by your successors. These successors were hardly warm in their places, when they imposed a stamp-duty upon the *American colonies*. This was as instantly repealed by *their* successors. These third, or fourth, or fifth—for they are so numerous, that I have really forgot which—successors had scarce undone the work of those that went before them, when they imposed a revenue-duty upon the same *American colonies*: and we are now daily in expectation of another *ministry*, of your *lordship's* appointment, to overturn the measures of the present ministry, and perhaps to adopt new measures of their own, to be overturned, of course, by some succeeding *ministry*; and thus, it is thought, while *your lordship* continues to be the grand spring that sets the political machine in motion, our *ministers* will go on, *in eternum*, committing blunders to-day, and repairing them to-morrow.

Some people, indeed, exclaim against this, as a most shameless prostitution of government, as a disgrace upon the British, or any other, legislature. But, God help their poor noddles! They know not that there is often more merit in repairing a fault, than in not having committed it; and that, though any man may err,
yet

yet none but a fool would persist in his error: *Cujusvis hominis est errare; nullius nisi insipientis in errore perseverare.*

Besides, in *these piping times of peace*, what else have the *ministry* to do than to be trying experiments in government? The *Royal Society*, we know, the *Society for the Improvement of Arts*, and all the other *societies* in EUROPE, are perpetually employed in making experiments; and 'tis by means of these experiments, though often unsuccessful, that they are at last enabled to find out the truth. Now, why should the *ministry*, which may justly be considered as a *political society*, be debarred the privilege, which is granted to all other societies, of making experiments; and, when these experiments fail, of supplying their defects by new experiments; as, by this method, they may be enabled to find out the *ARCANA IMPERII*, the *art of kingcraft*, or the *mystery of government*. And if the prosecution of these experiments should cost the lives of a few hundred, or even a few thousand men, that, I think, can never be admitted as any solid objection. For how many flies has a philosopher been obliged to kill, before he could find out, whether that animal could live without its brains! and I believe it will be acknowledged by every reasonable person, that the life of a man, in the opinion of a minister, is of no more value than that of a fly in the opinion of a philosopher.

I should now come, *my lord*, to consider the other charges, which your enemies bring against you: such as the *r——y* committed upon the *duke of Portland*, the invasion of the property of the *East-India Company*, the *massacre* perpetrated in *St. George's Fields*, the unrelenting vengeance with which you have persecuted Mr. *Wilkes*, and the dismissal of general *Amherst* from his government of Virginia: but these I must reserve for the subject of another letter. In the mean time, I am,

MY LORD,

Your Lordship's most obliged,

And obedient Servant,

J. MACPHERSON.

LONDON: Printed for W. BINGLEY, opposite Durham-Yard, in the Strand; by whom Letters to the NORTH-BRITON are received: And where may be had, the Eighteen preceding Numbers of this Continuation, Price 4s. Ritched in blue Paper.

T H E

N O R T H B R I T O N .

N U M B E R L X V I . (or XX. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

S A T U R D A Y , S E P T E M B E R 17 , 1768 .

To the N O R T H B R I T O N .

S I R ,

ENCOURAGED by your complaisance in giving a place so readily to my first letter, I have herewith sent you another, which I beg you will communicate to the publick through the same channel, and with the same expedition, and am, Sir,

Yours, &c. J. M.

WE have, for this once, complied with the request of our correspondent, though we hope he will not take it amiss if we assure him, that he must not expect the like indulgence for the future; as nothing could have induced us to insert successively two letters on such a subject, but our earnest desire to evince our impartiality, and to give the Public an opportunity of hearing every thing that can possibly be urged in defence of a nobleman, of whom, for our own part, we do not entertain so favourable an opinion, as seems to be entertained by Mr. MACPHERSON.

A second Letter to the Right Honourable JOHN Earl of B——E, one of his Majesty's most Honourable Privy-Council.

Primâ dicte mihi, summâ dicende Camenâ. H O R .

M Y L O R D ,

AS I have no reason to doubt, but the refutation I attempted, in my first letter, of some of the charges which your enemies bring against you, has met with your approbation, I shall now proceed with the same zeal, and, I hope, you will find, with the same ability and success, to refute the other charges which are usually brought against you. But, before I enter upon any new matter, allow me to point out a few of the many advantages arising from the *rapid succession of ministries* we have had for these eight years; for, that *this rapid succession of ministries* has been productive

ductive of many great and important advantages, must be evident to every one, whose eyes are not covered with the thickest mist of prejudice.

In the first place, *my lord*, it has furnished the ENGLISH with that amusement, which they so dearly like, the amusement of *variety*; for never, sure, was greater *variety* displayed, than has been displayed in the *ministry*, since your lordship undertook the directing of their motions. Some people, indeed, say, that this *variety* has been so great, that the motions of the *ministry* have exactly resembled a *country-dance*; and that *Mrs. Cornelys* threatens to bring an action against you, for endeavouring to injure her in her lawful occupation of furnishing this elegant and fashionable entertainment to the nobility and gentry, since as good *country-dances* are now to be seen at *Whitehall*, as in *Soho-Square*. But I never heard, that *Mrs. Cornelys* had obtained an exclusive privilege of exhibiting *country-dances*; and if she has not, I think *your lordship* has as good a right, as any other person, to exhibit such *dances*: and, even if *Mrs. Cornelys* had obtained an exclusive privilege, *your lordship*, I am persuaded, would take effectual care to destroy such a *monopoly*.

Nor have you, *my lord*, by this *sudden change of ministers*, shewn a greater regard for *the amusement of the people*, than for *the safety of the ministers* themselves; as, by this means, you have secured them, as far as it is possible, against every kind of danger. For had any *single minister* been guilty of all the acts of tyranny and oppression, that have been committed by our *different ministries* for these seven or eight years, they would, I am satisfied, have felt, before this time, the dreadful effects of popular resentment. But the guilt being divided among so great a multitude, the people are at a loss to determine with precision upon whom to wreak their vengeance. And, with regard to your lordship, who may be supposed to bear the blame of being the original author of all their violent measures, your popularity, it is well known, is so exceedingly great, as to be more than a counterbalance for any odium arising from that quarter.

But there is still another advantage attending the *infinite variety of ministries* we have had for these eight years; and this will appear to be equally great, whether we consider the places under the government as *lucrative sinecures*, or as *posts of real business and importance*. If we consider them in the first light, which, I believe in my conscience, is the true light in which they ought to be considered—for, if I am not misinformed, all the business of government is transacted by a few inferior clerks, who enjoy salaries only of a few hundreds a year—for, how else could our *ministers* have leisure to attend their horse-races, their hunting-matches, their assemblies at *Almack's* and *Cornelys's*, and their clubs at *Arthur's*; not to mention the time they consume, after the example of their *worthy premier*, in 'squiring their mistresses to *Ranelagh* and the *Opera*—I say, if we consider places under the government in this light, as *mere lucrative sinecures*, what can be more reasonable, than that the immense profits of these places should be fairly distributed

tributed among all parties indiscriminately, or, as the proverb has it, *that every dog should have his day*? By this means, *my lord*, you consult not only the interest of individuals, but the interest of the public. The circulation of money, you know, is the very life and soul of trade. Now, what more effectual method to promote the circulation of money, than to promote the circulation of places, which produce so much money. That most places under the government produce to their possessors immense sums of money, will be denied by no one who is in the least acquainted with matters of this nature. I shall only mention one particular, from which the reader may be enabled to form some judgment of the rest. The profits of all the places in the *Bank* do not amount to 9000*l.* *per annum*; whereas the profits of the places in the *Exchequer* amount to above 90,000*l.* and yet, I believe it will be readily admitted, that there is more business done in the *Bank* than in the *Exchequer*. *Ab uno disce omnes.*

If, on the other hand, we consider the places under the government as posts of real business and importance, the advantage arising from a *frequent change of ministries* will be still more apparent. For, by this means, you qualify almost every man, who, by his birth or fortune, is intitled to such a distinction, for serving his country in a ministerial capacity. The truth is, *my lord*, I look upon the great number of persons, who, during these eight years, have passed through the several departments of state, and are now out of office, as a kind of *well-trained and disciplined militia*, out of which the *regular forces of the ministry* may occasionally be recruited at a moment's warning.

Suppose, now, an advertisement, to the following purpose, were inserted in the news-papers, or posted up on the gates at *Whitehall*.
 —“ All gentlemen volunteers, who are willing to serve his
 “ M——y K——g G—— in the BLACK or *m-n-sl-r-l* regiment,
 “ commanded by the right honourable *John Earl of B——e*, and
 “ under him by *his grace the D. of Gr——n*, let them repair to
 “ the sign of the BAGPIPES, in *South-Audley-street*, or to the
 “ CULLY and COURTESAN in *Grosvenor-Square*, or to the Drum-
 “ head in *Pall-Mall*, where they shall enter into present pay, and
 “ meet with every other encouragement befitting a gentleman
 “ minister.—GOD SAVE THE KING!

“ N. B. The *officers and soldiers* of this regiment, especially the
 “ *officers*, have been more remarkable, than those of any other re-
 “ giment in the service, for making their fortunes; few of them
 “ having resigned their commissions, without securing to themselves
 “ and their children *good swinging pensions*. And though it is cer-
 “ tain, that their paymasters are, at present, near four quarters in
 “ arrears to them, yet is it intended, in a very little time, to impose
 “ a tax, for the discharging of these arrears, upon the AMERICAN
 “ COLONIES; who, from their *ready compliance* with some other
 “ *taxes* which have been lately laid upon them, will, it is not
 “ doubted, contribute most chearfully towards the payment of a
 “ debt, due to a set of creditors, from whom they have received
 “ such *inestimable favours*.”—Suppose, I say, that such an adver-
 tisement as this were inserted in the news-papers, or posted up on
 the

the gates at *Whitehall*, I make no question, but that, instead of one, twenty volunteers would offer for every vacancy that might happen in the *ministry*. Time was, indeed, when, upon the resignation of a great minister, of a first lord of treasury for instance, or a chancellor of the exchequer, it was the most difficult thing in the world to find a proper successor: but, thanks to your lordship's sagacity and foresight, that time is now past, and a more happy time hath succeeded in its room. We are now furnished with such a stock of *politicians*, as is sufficient to supply not only *all the vacancies in our own ministry*, but, if need were, *all the vacancies in all the ministries in Europe*.

Let the FRENCH, therefore, no longer boast of their *political societies*. Your lordship hath instituted a *political society* of a much more important and beneficial nature. For, while the young *French Machiavels* are employed solely in learning *the theory of politics*, your lordship's pupils are employed in learning at once *the theory and the practice*; and if, in the *course of their education*, they commit a few blunders that may sometimes threaten an insurrection at home, or a rebellion abroad, these can be regarded but as very trifling inconveniences, when put in the balance with the infinite advantages which such a scheme must produce. I therefore repeat it, my lord: let the matter be viewed in whatever light it will; whether we consider the places under the government as *lucratives sinecures*, or as *posts of real business and importance*, the frequent changes of *ministries* we have had for these eight years, is one of the greatest blessings, which your lordship, or any other *prime vizir*, could have bestowed upon this nation.

As to the r——y committed upon the *duke of Portland*, I am really amazed how any one can give it that name. Is the taking from a man what he hath no right to possess, to be branded with the odious and detested appellation of a r——y? The *Whigs*, indeed, say, that *king William III.* had as good a right to grant the forest of *Inglewood* to the first earl of *Portland*, as *king Charles II.* had to grant the hereditary rangerhip of *Whittlebury forest* to the first duke of *Grafton*. But, Lord open their eyes, and let them see their error! *King Charles II.* was a king of the true *jure divino* line, possessed of *hereditary and indefeasible right*; and therefore, in the opinion of every loyal subject, might have granted away not only all the *crown-lands*, but, had he been so minded, even the *crown itself*. But what right *king William III.* had, either to the *crown* or to the *crown-lands*, your lordship, I believe, and all true Tories, are yet to learn. As to your bestowing this grant upon your son-in-law, *Sir James Lowther*, your lordship, I think, has only thereby shewn yourself to be a sincere christian; for the scripture, if I mistake not, somewhere says, *that he that provideth not for his own, and especially for those of his own house, he hath denied the faith, and is worse than an infidel*.

With regard to your invading the property of the *East-India company*, that, I imagine, will admit of a still more satisfactory defence. For how, in God's name, do the *East-India company* come by the greater part of their property? Is it not by robbing the *East-India Nabobs*? And can there be any harm in the robbing of robbers?

robbers? Can there be any injustice in spoiling the *Egyptians*? Besides, *my lord*, the allowing too great an accumulation of wealth in the hands of merchants and mechanics, is utterly inconsistent with the scheme you have formed, of converting our government, first into an *Aristocracy*, and then into an *absolute monarchy*; for merchants and mechanics always breathe a republican spirit. Add to this, that, at the time of your invading the property of the *East-India company*, the ministry was reduced to the last extremity for want of money; and extreme necessity, we know, supercedes all law. The *massacre*, as it is miscalled, in *St. George's-Fields*, furnishes another striking instance of the gross abuse of words. The *massacre*! did they say? Call it rather a *sacrifice*: for what was it but a *sacrifice*, a *just sacrifice* offered to the *manes* of our unhappy countrymen who fell in the fatal battle of *Culloden*? I only regret, that the *sacrifice* was so small: why, in the name of filial duty, wasn't it greater? Why did not you command the soldiers, instead of firing by half dozens at a time, to fire, as I and most of my countrymen at the court-end of the town—for, I own, we have some apostates amongst us—think they should have fired, by whole companies? We should then have had revenge, glorious revenge; and atonement would have been made for the *innocent blood* spilt in the year 1745, by that scourge of our party, the *duke of Cumberland*, whom Heaven seems to have sent, in its wrath, to thwart the designs of all *loyal subjects*. But what is delayed is not forgotten. You may still have an opportunity of picking another quarrel with the *Whigs*. The approaching election at *Brentford* will furnish you with a pretext, every whit as good as that which you had in *St. George's-Fields*. A few companies of the *third regiment of guards*, with their bayonets screw'd, and their guns on full cock, sent among the croud, will answer the purpose. Try but the experiment, and I will answer for the consequence.

As to your persecution of *Mr. Wilkes*, a few words will suffice. The man, I think, deserves to be punished, not so much for his insolence as his folly. He has taken it into his head, forsooth, like many other fools, as well in ancient as in modern times, that truth is of a fixed and unchangeable nature, and does not depend upon the uncertain breath of a *minister*, or a *monarch*. I suppose now, if you were to tell him, that two and two are equal to five, that coals are white, or snow black, or that the sun moves from west to east, he would have the impudence to contradict you. Punish him, therefore, till he has come to a better way of thinking, and till he has learned to speak and act just as he is directed by his superiors. I can at least say, for my own part—and, for the truth of what I say, I appeal to *your lordship*—that I have always myself followed this maxim; nor ought any one, in my opinion, that does not follow it, to be suffered to live in society.

With respect to the dismissal of *Sir Jeffery Amherst* from his government of *Virginia*, that, I apprehend, is a thing which requires no vindication. If *Sir Jeffery* and his friends had not very bad memories, they would not need to be reminded, that, at the conclusion of the late war, one of the constant complaints of *your lordship* and *your ministry* was, that we had conquered too much, and more than we knew what to do with; that the people were so elated with their extraordinary success, that it would be hardly possible

possible to make any peace, that could give them satisfaction: and it may be safely affirmed, that the *inadequate peace*, which *your lordship* made, has been one of the chief causes of all that popular odium, under which you have since laboured. But it is well known, that *Sir Jeffery Amherst* was one of the principal authors of our extraordinary success, and, consequently, of the inextricable difficulties in which your lordship was then involved; and, these things considered, is it at all surprizing, that Sir Jeffery should at that time incur your lordship's displeasure, and that he has now at last felt the effects of it? It has, however, been a long time before he has felt the effects of it; and this, I think, may be adduced as an irrefragable proof, if not of *your lordship's* forgiveness, at least of your forbearance. Sir Jeffery, therefore, instead of complaining for being dismissed so soon, ought rather to be thankful for not being dismissed sooner; and has more reason to praise your *lordship's* moderation, than to censure your severity. True it is, that, in the beginning of the war, *admiral Byng* was shot for his *want of success*; and *Sir Jeffery Amherst* is now dismissed for his *too great success*: but

Tempora mutantur, & nos mutamur ab illis;

Truth and falshood, right and wrong, merit and demerit, every thing depends, as it ought to depend, upon the uncertain turn of a *minister's* will.

Thus have I, *my lord*, to the best of my abilities, refuted all the charges I ever heard brought against you; and if any of your enemies have any more charges in store, let them, in God's name, immediately produce them. I here throw down to them the *gauntlet of defiance*: I here give them an *open challenge*; and professing myself *your champion*, I will endeavour to confute them, to their own utter confusion, to your lordship's satisfaction, and to the thorough conviction of the whole world. I am, MY LORD, your Lordship's most obliged, and devoted humble servant,

J. MACPHERSON.

ERRATUM, in our last Number, Page 391, line 6 from the bottom, for, *as I am afraid you will*, read, *as I am afraid you NEVER will*.

L O N D O N: Printed for W. BINGLEY, opposite Durham-Yard, in the Strand; by whom Letters to the NORTH-BRITON are received; and where all the former Numbers may be had.

WHEREAS one JAMES MACPHERSON has thought proper to insert an Advertisement in the News-Papers, importing, that he is not the Author of a Letter subscribed J. MACPHERSON, and addressed to the Right Honourable John Earl of Bute, in the LXVth Number of the NORTH-BRITON: I think it my Duty to inform the Public, that the said Letter came to me by Post, in the very same Words, and with the very same Signature, with which it is printed; nor did I know at the Time, whether the Letter (J.) meant, JAMES, JOHN, JEFFERY, JACOB, JOCELINE, JOSIAH, JOSHUA, ISAIAH, or JEREMIAH; nor would the World, I am satisfied, ever have known, had not JAMES MACPHERSON taken the Trouble to undeceive it.

Mr. MACPHERSON calls the Letter a dull Performance. I am sorry to hear that Mr. MACPHERSON's Friends have so mean an Opinion of him, as to suppose him capable of writing a dull Performance; for if they did not suppose him capable of it, there was certainly no Occasion for advertising. Mr. MACPHERSON says, that he is known to the World as the *Translator of Ossian's Poems*; but I believe neither he, nor Ossian's Poems, are now at all known to the World; their Fame, *if ever they had any*, being raised merely by the Force of Novelty, and having long since died away like the *Ham of a Bee*. It is curious, however, to observe Mr. MACPHERSON's *Modesty*. In an Advertisement, which he left with me, which he desired me to insert in the News-Papers, and which is still to be seen at my Shop in his own Hand-Writing, he calls himself a *Person well known in the learned World*. I suppose he means the *learned world* in the Highlands of Scotland, and among those who can chaunt *Ossian's rude Poems* in their native GUTTURAL *Erse*. Mr. MACPHERSON, I suspect, is more afraid of losing the Place which he enjoys under the Government, than of losing his Reputation in the *learned world*; and is more apprehensive of offending his *great Patron, the Earl of Bute*, than of offending the sensible part of the English Nation.

WILLIAM BINGLEY.

T H E

N O R T H B R I T O N .

N U M B E R L X V I I . (or X X I . of the C O N T I N U A T I O N .)

To be continued every *Saturday*. Price Two-pence Halfpenny.

S A T U R D A Y , S E P T E M B E R 24 , 1768 .

*Hoc illud est præcipue in cognitione rerum salubre ac frugiferum,
omnis te exempli documenta in illustri posita monumento intueri:
inde tibi tuæque reipublicæ, quod imitare, capias: inde fœdum in-
ceptu, fœdum exitu, quod vites.* L I V Y .

To the N O R T H B R I T O N .

S I R ,

IT was a shrewd remark of a plain, honest Scotchman, when he heard the fulsome compliments which were paid to king JAMES the FIRST, upon his accession to the throne of this kingdom, that the ENGLISH, by their foolish fondness, would *spoil a GEUDE king*. Never, indeed, was this remark more strictly verified than in the case of *king JAMES*; but, I am afraid, his is not the only case, in which it has been verified. I am afraid, that the ENGLISH, by their foolish fondness, have spoiled many *other good kings*; or, which amounts to the same thing, have spoiled many princes, who would otherwise have proved *good kings*.

There is a *honey-moon* in government, as well as in marriage; and the consequence of misimproving this important period is as fatal in the former, as in the latter of these instances. Many a *woman*, who, under proper management, would have become an *excellent wife*, has, by the ill-judged indulgence of a too uxorious husband during the first month of wedlock, been rendered ever after an *intolerable vixen*; in the same manner, as many a *prince*, who, if uncorrupted by flattery, might have proved a *good king*, has, by the adulation that was paid him at the time of his accession, been converted into a *fool*, perhaps into a *tyrant*, perhaps into *both*. And, in fact, we shall find, if we look into history, that some of the worst kings who have disgraced the throne of England, were the most popular and beloved at the time of their accession; and that all the acts of folly or of violence, which they afterwards committed, were owing to the unmerited praises they received in the beginning of their reign. And the first prince I shall mention as thus corrupted by flattery, is *king Edward the Second*, who, though possessed of very little, if any, personal merit, yet being cloathed, by his courtiers, with the renown of the glorious actions performed by his

his

his father *king Edward the First*, imagined he might govern the kingdom without the least regard to the sentiments of the people; and resigning his conduct accordingly to the guidance of wicked favourites, at last drew upon himself, as well as upon his minions, such a load of popular odium, as deprived him first of his crown, and soon after of his life.

The case of *king Richard the Second* is, if possible, a still more striking instance of the fatal effects of undeserved praise and unearned popularity. Never prince came to the throne in more favourable circumstances than *king Richard the Second*. His grandfather, *king Edward the Third*, was one of the most glorious monarchs that ever sat upon the English throne. His father, *Edward the Black Prince of Wales*, was one of the best beloved princes that ever enjoyed that title. And *all the popularity*, acquired by these two princes, was immediately transferred to their heir and descendant, *king Richard the Second*. But *this popularity*, instead of serving, as it ought to have done, to remind him of his duty, served only to make him forget it. *This popularity*, instead of inspiring him with a laudable ambition to rival the fame of his illustrious ancestors, made him sit down contented with the reversion of glory, which they had bequeathed him. *This popularity*, instead of inducing him to pay a proper respect to the opinion of the people, upon whom it depended, made him treat the people with indifference and contempt, and even with insolence. For of his *commons* he was wont to say, *that SLAVES they were, and SLAVES they should be*. And, upon an address from the *parliament* to remove his *chancellor* and *treasurer*, he haughtily replied, *that he would not, at their request, remove the meanest scullion out of his kitchen*.

Violent, however, and arbitrary as his measures were, he did not want men to encourage him in the prosecution of them; such men, for instance, as *Nevil, Vere, Poole, Tresilian*, and others; who, in order to attach him the more firmly to *themselves*, took care, by their misrepresentations, to render the *nation odious to him*, in the same manner as they had, by their avarice, their prodigality, and arrogance, rendered *him odious to the nation*. They were perpetually insinuating to him, that *they suffered for his sake*; that the aim of their enemies was to *dethrone him by disgracing them*; and whilst the troubles of his reign were entirely owing to *his obstinacy in supporting them*, they had the address to persuade him, that they arose solely from *the turbulence of the people*; and that the only cause of the general odium, under which they laboured, was their unshaken firmness in executing *his orders*, and maintaining *his authority*. Nay, they went so far as to affirm, that, by accusing the *counsellors*, a man plainly shews, that he believes the *sovereign* incapable of governing; and that the readiest way to discredit a *prince*, is persuading his subjects that he makes use of *ill ministers*.

These arguments and artifices, however ridiculous, had the desired effect. The *deluded king* was persuaded to enter into closer connections than ever with his *favourite ministers*. He took their iniquities on himself; made their cause his own; prosecuted their adversaries with the most unrelenting vengeance; was privy to their plots of assassinating their enemies; of packing juries; of corrupting the judges to pronounce sentences contrary to law; and of doing a deal of other dirty work, which they, indeed, wanted, not he. In a word, he

he continued to misguide and misgovern, till the people, provoked beyond all bounds, were obliged, at last, to rise in arms, and to deprive him of his crown, which they bestowed upon the *duke of Lancaster*, afterwards known by the name of *king Henry the Fourth*.

The pernicious effects of a *premature and undeserved popularity* are no less apparent in the reign of *King Henry the Eighth*, than in that of *King Richard the Second*. *King Henry's popularity* arose partly from his youth, from the beauty and vigour of his person, from his parts and his learning, which were, both of them, considerable, and from the favourable accounts given of him by his courtiers; but, chiefly, from his uniting in himself the rival titles of *York* and of *Lancaster*, and from his having, of course, no pretender to his crown. But what was the consequence of this *early popularity*? The consequence was, that it increased his presumption, inflamed his pride, and almost turned his brain; and that the *honey-moon of government* was hardly past, when he began to *act the tyrant*, as he continued indeed to do to the end of his reign.

If, from the reign of *king Henry the Eighth*, we pass on to that of *king James the First*, we shall find an additional proof of this melancholy truth, that those princes, who, from a *concurrence of accidental circumstances*, have been extremely popular in the beginning of their reign, have soon lost their popularity, and have seldom, or never, been able to recover it. *King James*, immediately upon his accession to the throne, was extolled by his courtiers as the *wisest man of the age*; and believing, no doubt, from his natural vanity, that he merited the compliment, he probably thought he might act, as it is well known he acted, during the remaining part of his reign, as *the most ignorant and the most foolish*: thus verifying the homely, but sensible, proverb, *That he who gets the character of rising in the morning, may lie a-bed all day*. Instead of imitating the conduct of his *truly wise and justly-popular* predecessor, the *illustrious queen Elizabeth*, he deviated, in almost every instance, from the prudent maxims of that renowned princess. The behaviour and fate of *king Charles the First* and *king Charles the Second*, are so well known, that they need not be mentioned.

Thus, Sir, it appears, according to the remark of the plain-spoken Scotchman, that the ENGLISH, by their foolish fondness, have *spoiled many good kings*. I will not say, that *our present amiable sovereign*, who was extremely popular at the time of his accession, and, I hope, is still popular, has been *spoiled* by the fondness of his loyal subjects; because I will not, as indeed I cannot, suppose him capable of being *spoiled* by this or by any other circumstance. But I believe I may say, *without giving offence to any but the guilty*, that his *ministers* have been *spoiled* by it in a most unaccountable manner; most of them having acted, for these seven or eight years, with such a total disregard to the sentiments of the public, as if government had been instituted for the good of a few, and not for the good of the whole community. Trusting, it would seem, to the *popularity of their master*, they thought they might venture upon the most unconstitutional measures, till at last they have rendered themselves so completely odious, as to be utterly unqualified for serving their country; for the people, it is certain, may conceive such a hatred against a minister, as to be unwilling to receive from him even the most signal favour.

Neither

Neither will I say, that there is an exact similarity between the events of the present reign and any of those I have now mentioned; though I think I can point a striking resemblance in some particular instances. For example, *king James the First*, as well before as after his accession to the throne of ENGLAND, was wont, both in public and in private conversation, to give the name of *rebels* to the STATES OF THE UNITED PROVINCES, who were then struggling, and had long struggled, to deliver their country from the tyranny and oppression of the *Spanish monarchy*; and though he was afterwards induced, and almost compelled, by the prevailing spirit of his subjects, to give them some assistance, yet was it in so secret and clandestine a manner, as if he had been ashamed to avow openly the cause of liberty. In like manner, soon after the accession of his *present Majesty*, lord Bute was pleased to give the name of *rebels* to the gallant CORSICANS, who are now engaged in the same glorious cause; and who, though cruelly attacked, and almost overpowered, by the arms of FRANCE, have not yet received the least shadow of assistance from the crown of GREAT-BRITAIN. So much more pusillanimous, or so much greater enemies to liberty, are our *present ministers*, than those of *king James*!

The motives of that prince's conduct are easily explained. He had hitherto behaved, and was resolved to behave, in such a manner, as might hazard the revolt of his own subjects; and therefore he was unwilling to furnish them with a pretext for throwing off their allegiance, by encouraging resistance in any other subjects. Besides, he had conceived such an exalted idea of the rights of kings, that he thought no acts of tyranny or oppression could justify the people in resisting their authority. I doubt not, indeed, but our *ministers* perfectly coincide with his Majesty in their sentiments on this last subject; and with regard to the former, they are more than upon a par with him; for they have not only hazarded, but have actually excited, a revolt among the COLONIES: and they may, probably, be afraid, lest, by giving assistance to the CORSICANS, they should induce those COLONIES to persevere in their opposition.

Another circumstance, in which the *ministers of the present reign* resemble those of *king James the First*, is the article of negotiation. Such, from cowardice, was *king James's* aversion to war, that he could hardly, by any means, be persuaded to engage in it; and such his confidence in his dexterity and address, that he hoped to carry every point by dint of negotiation. Instead of sending *fleets* and *armies* to secure or recover his own rights, or those of his allies, he was perpetually sending *ambassadors*, who, when their master's pusillanimity was once thoroughly known, were laughed to scorn in all the courts of EUROPE. So great, indeed, and so general was the contempt, in which, on this account, *king James* was held, that his character was burlesqued in public exhibitions. In a farce, acted at *Brussels*, a courier was introduced, carrying the doleful news, that the PALATINATE would soon be wrested from the house of AUSTRIA; so powerful were the succours, which, from all quarters, were hastening to the relief of the despoiled elector. *The king of Denmark* had agreed to contribute to his assistance a hundred thousand pickled herrings, the Dutch a hundred thousand butter-boxes, and THE KING OF ENG-

LAND

LAND A HUNDRED THOUSAND AMBASSADORS. On other occasions, he was painted with a scabbard, but without a sword; or with a sword, which no body could draw, though several were pulling at it.

The conduct of our late and our present ministers is an exact counterpart to this of *king James*. They have now been negotiating for these five years and upwards, about the demolition of the *harbour of Dunkirk*, and the payment of the *Manila ransom*; and after *all their embassies, remonstrances, and memorials*, I believe they are just where they were at the signing of the peace of *PARIS*.

A third point of resemblance between the *WISE ministers* of the present reign, and *those* of the *English Solomon*,—as *king James* was falsely called—is the unbounded prodigality, which both of them have discovered in the conferring of titles and honours. Such, indeed, was this prodigality in the reign of *king James*, that, in the space of six weeks after his entrance into England, he is supposed to have bestowed knighthood on no less than 237 persons. If *queen Elizabeth's* frugality of honours, as well as of money, had been formerly repined at, it began now to be valued and esteemed; and every one was sensible, that the king, by his lavish and premature conferring of favours, had failed of obliging the persons, on whom he had bestowed them. *Honours* of all kinds were grown so common, that they ceased, in some sense, to be *honours*. To know the *British nobility*, it was become almost necessary to have *Nomenclators*, like those who attended the candidates at *Rome*, to tell them the names of the *citizens*. In a word, the jest was carried so far, that a *pasquinade* was affixed to *St. Paul's*, in which an *art* was promised to be taught, very necessary to assist *frail memories*, in retaining the names of the *new-created nobility*.

I wish to God, that such *Nomenclators* were now to be had, or that such an *art* was now to be learned; for, strong as my memory is, I cannot recollect all the names of *our new-made nobility*. *King James*, I believe, rather exceeded in the article of *baronets*; but I question much, whether he created so many *peers* during the *whole course of his reign*, as have already been created during the *short period of the present reign*. The *peers*, I think, *if my memory do not fail me*, amount to between seventy and eighty; and the *baronets*, I am persuaded, fall not greatly short of fifty. I could likewise wish, that the same *prudent oeconomy* had been observed in the conferring of titles in the present reign, as was observed in the reign of *king James the First*. *King James* fairly sold his titles; and as the king was at that time intrusted with the sole management of the public revenue, the money was thus converted into the national stock. But if the titles in the present reign have been sold, as some people think they have, I should be glad to know in whose pocket the money has been put. Had they been sold openly, and at the common market-price, the produce, I dare say, would have gone a considerable way towards discharging the enormous arrears of the civil list.

Nor can I, for my own part, as matters are now conducted, see any feasible objection to the selling of titles. Were titles, indeed, confined, as they ever have been by well-advised princes, to those who have distinguished themselves in the field or in the cabinet, there
might

might be some show of reason in making such an objection. But while money is considered as the sole criterion of merit; while a title has been refused to *Sir Jeffery Amherst* for his want of money, and one conferred upon *Sir James Lowther*, for no other reason than his plenty of money, and, perhaps, for his family-connection with the *Favourite*; to boggle, as some folks affect to do, at the public sale of titles, is an egregious instance of false delicacy, or ridiculous prudery.

But though the English nobility, in the present reign, are in a fair way of becoming as numerous, if not more numerous, than they were in the reign of king *James the First*, still it is certain, that they are now destitute of some considerable advantages, which were possessed by their predecessors in that aristocratical period; when no commoner durst wag his tongue against a nobleman, nor even against the meanest servant of a nobleman, without being liable to a severe punishment. This will appear from the two following instances. A waterman, belonging to a man of quality, having a squabble with a citizen about his fare, shewed his badge, the crest of his master, which happened to be a *Swan*; and thence insisted on better treatment from the citizen. But the other replied carelessly, that he did not trouble his head about that *Goose*. For this offence he was summoned before the Marshal's-Court; was fined as having opprobriously defamed the nobleman's crest, by calling the *Swan* a *Goose*; and was, in effect, reduced to ruin †. *Sir George Markham*, too, for only saying that he would horse-whip *lord Darcy*, if that nobleman should behave to him in a rude and insolent manner, was cited before the Star-chamber, and fined in the sum of 10,000 l.—*So fine a thing was it in those days to be a Lord!* says *lord Lansdown* †; and *so fine a thing may it soon become again to be a Lord*. But I will venture to foretell, that, whenever it shall become *so fine a thing to be a Lord*, it will be a *most miserable thing to be a Commoner*. I am,

S I R,

Your's, &c.

E. B.

† Life of Clarendon, Vol. I. p. 72.

† Lord Lansdown's Works, p. 515.

ERRATUM in our last Number, p. 396, l. 25, for *minister* read *ministry*.

T H E

N O R T H B R I T O N .

N U M B E R L X V I I I . (or XXII. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

S A T U R D A Y , O C T O B E R 1 , 1768.

— *Si quid novisti rectius istis,
Candidus imperti; si non, his utere mecum.*

H O R .

To the N O R T H B R I T O N .

S I R ,

OF all the schemes, which have been hitherto proposed, for paying off the *national debt*, there is not any one, in my opinion, that is properly calculated to answer the purpose. Some of them are unjust, others inadequate, and most of them impracticable. Some have recommended, for the discharging of this debt, the preserving inviolate the whole produce of the *Sinking Fund*, which amounts, it is said, to above *three millions a year*; and as the *Sinking Fund*, at its original institution, was expressly established with this very view, the people may think they have a right to insist, that it should not be diverted to any other use. But the people, it is plain, are but shallow politicians. They seem not to know, that the article of *secret service*, the *deficiency of the funds for the current service of the year*, and a thousand other *necessities, real or pretended*, will be a *constant drain* for the *overplus of money* produced by the *taxes*.

Others have advised, with as great zeal, and as little prudence, the *selling* of the *crown-lands*, or *royal forests*, and applying the money thence arising towards the *discharge of our public incumbrances*. But this scheme is, if possible, still more absurd than the former. For, how could our *great men*, if these *forests* were *sold*, enjoy their *favourite diversion of hunting*? And who, that is not lost to all sense of shame, would propose sacrificing the pleasure of the great to the welfare of the nation? Not to mention, that the revenues of many of our *great men* arise, in some measure, from their *rangerhips of forests*; witness our present *first L—d of the treasury*, who derives a considerable part of his annual income from his *hereditary rangerhip of Whittlebury forest*.

A third set have suggested, as an equally effectual method of paying off the national debt, the dissolving the charter of the East-India company, and the laying open that trade to the whole nation; which, besides the large sums that would be readily paid for such
and

an indulgence, by the merchants of London, and of the other trading cities, would so greatly augment the produce of the customs, as would, at once, contribute to the discharge of our debts, and enable us, by degrees, to lessen our other taxes. But behold here again a signal proof of the ignorance and simplicity of the people! They expect, forsooth—God help them, poor souls!—that the *interest of particular men*, or of *particular bodies of men*, should be made to yield to the *interest of the public*. But they do not consider, that, besides a thousand other arguments against such a project, *the ministry have one unanswerable reason* for keeping *this trade* confined to an *exclusive company*, viz. that, while it remains so confined, the *wealth of the proprietors is an inexhaustible fund* for supplying all the *calls*, which the *m—ry* may have for *money*: it is, indeed, a kind of *bank*, upon which they may make whatever demands, or from which they may extort whatever sums, they please: it resembles, as it were, a *large body of water*, collected into *one reservoir*, where the *m—ry* may occasionally *quench* their *thirst of lucre*; whereas, were the trade laid open, and the wealth scattered among a number of individuals, it might be considered, in some sense, according to the language of scripture, as *water spilt upon the ground, which cannot be gathered up again*. Or, to use a comparison, if possible, still more striking, the *East-India company* is to the *m—ry*, what a *rich Eastern caravan* is to the *free-booting Arabs*, who, by a vigorous attack upon one of these *caravans*, obtain frequently such an immense quantity of plunder, as enables them to live comfortably during the remainder of the year; whereas, were the *merchants* to travel singly, or in small parties, it would hardly, I believe, be in the power of the *robbers* to seize them all; and the booty, arising from particular captures, might sometimes be so inconsiderable, as scarce to be a sufficient recompence for the trouble of keeping guard, or for the danger of making the assault.

But there is a fourth scheme proposed by some political projectors; and that is, the diminishing, in almost every instance, the expences of government, by abolishing entirely all unnecessary places, and by reducing the salaries of those which are necessary, to one-fourth, one-fifth, one-tenth, and even, sometimes, to one-twentieth of what they are at present; and thus obliging our great men to serve their country, not from the base principle of avarice, but from the noble principle of patriotism and public spirit. This, it is said, besides contributing towards the *discharge of our public debts*, will be the means of restoring peace and tranquillity in the nation. It will effectually extinguish the murmurs, jealousies, and discontents of the people, who, being now satisfied that they pay no more than is absolutely necessary for the support of government, will pay it with cheerfulness; and it will as effectually extinguish the factions, cabals, and intrigues of the great, who, being now stript of the power of plundering their country, will quietly leave its affairs to be conducted by those who are best qualified for such an undertaking.

This, it must be owned, is a most excellent scheme, could it possibly be carried into execution. But who is to execute it? Who is to reduce the expences of government? The very persons who profit by these expences! Who is to make laws for this purpose? The very persons who would suffer by these laws! We may then expect to hear, as was sensibly observed by one of your correspondents on a former occasion, of *wolves* making laws against invading *sheep-folds*, and of *foxes* making laws against robbing *hen-roosts*.

As

As to *patriotism* and *public spirit*, I am afraid they are long since banished the *kingdom*; at least, I am persuaded they are long since banished *St. James's*. The words, I think, ought to be expunged from all *general*, at least, from all *court-dictionaries*; and, for my own part, I would no more look for these virtues in the *offices at Whitehall*, than for modesty in the *stews of Covent-Garden*. Every man for himself, and God for us all; this is the motto of our *ministers* and *placemen*: and the spirit of this motto they will desperately pursue, should they thereby involve their country in inevitable ruin. As to the *murmurs*, *jealousies*, and *discontents* of the people; these, I am convinced, give much less uneasiness to our *ministers*, than many persons are apt to imagine. They very well know, that those who vent their anger in words or in writing, will be less apt to vent it in action. And, with regard to the *factions* and *animosities* of the great, these, it is certain, are often mere pretences, a barrel thrown out to the whale; something to divert the attention of the public from matters of more importance. Have you never seen two rogues fight a sham-battle in the streets, while their companions were employed in picking the pockets of the spectators?

I must not, by any means, omit taking notice of a *fifth scheme*, proposed, or rather barely mentioned, by S—me J—gs, Esq; one of the l—ds of Tr—e and Pl—ns; and that is, the taking exorbitant wealth from overgrown individuals, and with it discharging the debts of the public. I cannot, indeed, allow, what is asserted by this honourable gentleman, that such a practice would be utterly repugnant to all the principles of equity, and all the dictates of conscience; because I am satisfied, that these overgrown individuals might be as justly squeezed, and made to disgorge, as the *bashaws* are in Turkey; our great men having acquired their exorbitant wealth, though within the letter of the written laws of the land, yet as much in opposition to the eternal laws of justice, as the *bashaws*. I will, however, most frankly acknowledge, what is not acknowledged by this learned author, that such a practice is never likely to be adopted; for, by whom is this political emetic to be administered? By the very persons who ought to be physicked.

Having thus shewn the utter impracticability of all the schemes, which have hitherto been proposed for paying off the national debt, I shall now take the liberty of proposing a scheme of my own for the attaining of this purpose; and that is, in few words, the exposing to sale the public employments without exception. Some, I know, will exclaim against this as a most shameless prostitution. But hear the words of a greater politician than I am, and even, perhaps, than you are, most courteous reader! For thus speaks the celebrated MONTESQUIEU: "Public employments ought not to be sold in despotic governments, where the subjects must be instantaneously placed or displaced by the prince. But in monarchies this practice is not at all improper, inasmuch as it is an inducement to engage in that as a family employment, which would not be undertaken through a motive of virtue. It fixes, likewise, every one to his duty, and renders the several orders of the kingdom more permanent. Suidas very justly observes, that Anastasius had changed the empire into an Aristocracy, by selling all public employments. Plato cannot bear with such a scandalous practice. This is exactly, says he, as if a person were to be made a mariner or pilot of a ship for his money. Is it possible, that this rule should be bad in every other

“other employment of life, and hold good only in the administration of a republic? But Plato speaks of a republic founded on virtue, and we of a monarchy. Now in monarchies (where, though there were no such thing as a *regular sale of public offices*, still the *indigence and avidity of the courtier* would equally prompt him to expose them to sale) chance will furnish better ministers than the prince’s choice.” A fine compliment to princes, truly!

But, perhaps, it will be said, that our government is not a monarchy, but a republic, or, at most, a republic disguised under the form of a monarchy. I wish to God, that this be the case, and that it be not rather a monarchy disguised under the form of a republic. I am sure the spirit which it has for some time breathed, has favoured more of a monarchy, than of a republic. Leaving, however, the nature of our government entirely indetermined, as, I’m afraid, it will appear, upon a strict examination, to be altogether indetermined, I shall only appeal to any candid person, who has lately obtained any *public employment*, whether *such employment* was not *actually sold, and sold too by the minister’s mistress*, I mean the celebrated *Miss Nancy P—r—ns*; but, whether the money produced by the sale was put into the pocket of the *mistress*, or that of the *minister*, is best known to the parties concerned. Nay, Sir, do we not daily see the news-papers crouded with advertisements from gentlemen, who want to *purchase places under the government*? And can we suppose people to be so very foolish, as to continue these advertisements, if they produced no effect? As the *places*, therefore, *under the government*, are *actually sold*, why, in God’s name, should not the money thence arising be converted into the national stock, rather than into the stock of any *minister’s mistress*? But I think that *Nancy* should not only be prevented from getting any more money by the sale of public places: I think she should restore what she has *already got*. Nay, if she is inspired with that love of fame, or that love of her country, which has actuated many ladies of her *honourable profession*, she may even be the means of paying off a part, if not the whole, of our national debt. For this purpose, let her return to her former trade: let her render her favours public, as usual: let each of her gallants make her a handsome present: and let her *kind keeper* act as *major-domo, master of the ceremonies, and first lord of the treasure*; and I doubt not but this *treasure* will, in a little time, amount to such a sum, as will go a great way towards lessening our *public incumbrances*. Nor let any one condemn this scheme as absurd, or think the means disproportioned to the end. Actions *almost as great*, but much *less meritorious*, have been performed by *courtizans* in former times. I have somewhere read of an *Egyptian princess*, who built a *pyramid* by obliging each of her *lovers* to bring her a *stone*, or, perhaps, a *brick*. *Phryne* too, it is well known, rebuilt the city of *Thebes*, after it had been destroyed by *Alexander the Great*. Not to mention the wonders that were done, though of a different nature, by the *two Aspasia*s, by *Lais*, by *Leontium*, by *Ninon Lenclos*, and others. Thus, Sir, have I given you the outlines of my scheme, which perhaps I may explain more fully on some future occasion. At present, I shall conclude with the words of my motto; if any of your correspondents know of any plan, that is more likely to answer the purpose, I beg they will immediately communicate it to the public. In the mean time I am,

SIR,

Yours &c.

F. L.

To

To the NORTH BRITON.

S I R,

I N looking over the papers of a deceased friend, I accidentally met with the enclosed manuscript. It seems to be a fragment of a larger essay; composed, very probably, for some such paper as your own. If it can be of any use to you, it is very much at your service, from, S I R,

Your's, &c.

G. O.

WE almost daily see instances of men, who are unworthily and unjustly buoyed up by the favour of their prince. Thus the *Egyptians* (as wise and learned a people as they were) placed *beasts* upon their altars, and, notwithstanding their imperfection and deformity, paid them the highest duties of prayer and adoration. Behold the good works of *Fortune*! Behold likewise the extravagant caprices of *that goddess*, without eyes and without judgement! to whom ancient *Rome* gave so many different names and dedicated so many altars. You have often heard of melancholy giddy-headed queens, who have fallen in love with *Dwarfs*, *Blacks*, and *Monkeys*. *Fortune* seems to be of the same humour with these foolish princesses; often courting to her embraces the most unworthy and undeserving; and, in the election of a *Prætor*, preferring the villanies of a *Vatinius* to the virtues of a *Cato*.

It is to this injudicious beldame, that the *creatures* of the greatest *princes* owe their rise and grandeur, and the vast estates they gain by rapine and oppression. And as their rise was a *lucky hit*, and a kind cast of *Fortune*, so they govern by the influence and wantonness of that *blind goddess*, at hazard and adventure. They make themselves *mere Phaetons* in their administration; and, for want of judgment to manage the province which they have undertaken, dispense unequal light and heat in the world; scorching up part of it, and leaving the other in intolerable cold. Such *ignorant ministers* are scared at their own blunders. They daily run the fortune of that unhappy youth, just mentioned, being perpetually alarmed at the impending ruin of themselves and of their country; and what, if any thing, must add to their terrors, and fill them with despair, is a thorough conviction, that these dreadful calamities are the pure effects of their folly and stupidity.

All their actions are out of reason. They are false measures from a false rule. Instead of laying hold of the critical opportunity, so carefully observed by all wise ministers, and so necessary for performing any with spirit and eclat, they pass it by, or cannot come up to it. They are always either *before* or *behind*. One day they impose a tax without any good reason, and the next repeal it without any just cause. They affront the ancient friends of the crown and of their country, and smile upon the natural and inveterate enemies of both. If it be their fortune to rule in a *free country*, they are bent on establishing an *arbitrary government*. If the people assemble to testify their regard for a persecuted patriot, they immediately disperse them by a military force. If the good opinion of the public be indispensably necessary for carrying on with success the affairs of government, they take care to forfeit it by their tyranny and arrogance.

And,

And, as their own greatness is owing to mere *Fortune*, so the same *blind goddess* (unless some detestable motive interferes) sways them in the choice of their *subalterns*. For a *governor of a province* they recommend a *bankrupt lord*, who must be tempted, by his indigence, to squeeze the unhappy subjects. As the head of the *treasury* they place some YOUNG SPENDTHRIFT DUKE, who squandered away his estate almost as soon as he came to it, but has now learned to talk of *frugality* and *economy*. And, to posts which require the most consummate abilities, they recommend men of fortune, indeed; but men, however, of much the same capacity and learning with him who appeared at *Paris* in the last age, when the *Polish Ambassadors* arrived there. These ambassadors made their compliments to him in *Latin*; upon which he desired to be excused from answering them in the *same language*; for that he had never had the curiosity to learn the *Polish tongue*. The same venerable sage took *Seneca* for a doctor of the *Canon Law*, and thought that he had written his book *De Beneficiis* professedly on the subject of *ecclesiastical* benefices. A shrewd wag of those times made him believe that the *Morea* was the country of the *Moors*; and it is certain that he spent a whole day in looking for *Aristocracy* and *Democracy* in the map; and, at last, thought his labour fully requited, when he accidentally fell upon *Croatia* and *Dalmatia*.

These *ministers*, you see, are *perfect connoisseurs* in men and in business. After having exhausted the *public treasure* in the most ridiculous and scandalous manner, they take upon them the character of *prudent managers* and *just stewards*; to give the last finishing to their address, the *chief favourite*, or *prime vizir*, assists at their consultations, and repeating every day some incoherent scraps out of a translated *Tacitus*, recommends to them, above all things, *secrecy* and *disimulation*. This doctrine having once thoroughly learned, they become, on a sudden, all *mystery*, and never express themselves but by a wink of the eye, or a nod of the head. At most they do but whisper; and never rise into an audible tone of voice, even when they compliment their *master*, and tell him that he is the most *accomplished prince* upon earth.

By these exquisite maxims, and this *anti-politique*, of which I have here given a short sketch, do these men govern their deluded country. They overturn what they would maintain. They wound where they would heal. They ruin what they would establish; and destroy every thing that comes within the reach of their absurd management. The stains they have fixed upon the character of their prince, and the shocks they have given to the constitution of their country, justly excite the resentment of both; so that death, banishment, or disgrace, and a forced restitution of their wicked plunder, are commonly the end and result of their administration. Being arrived, by the favour of mere *Fortune*, and some *lucky distress* of their country, at a kind of *KINGSHIP*, they make the same use of it, which children do of *knives*, who cut their own fingers, not knowing how to use them; and make their mothers and nurses angry with them; which commonly ends in a *sound whipping*.

T H E

N O R T H B R I T O N .

N U M B E R L X I X . (or XXHI. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

S A T U R D A Y , O C T O B E R 8 , 1768.

*Experiar, quid concedatur in illos,
Quorum Flaminia tegitur Cinis, atque Latina.*

JUV.

To the N O R T H B R I T O N .

S I R,

AS you was so good as to insert, in the sixty-fourth number of your patriotic paper, the remarks, which I lately sent you, on the conduct of *arbitrary and despotic judges*, I shall now take the liberty of making a few other observations on the same subject. But, before I enter into a particular detail, allow me to offer some general reflections, on the great importance of the *office of a judge*, and the ~~indispensable~~ obligation, which those lie under who are possessed of this high trust, to preserve their character free, not only from *the imputation of actual guilt*, but even from *the bare suspicion of partiality or prejudice*.

The *judicial power* may be considered, in some sense, as of as much, if not of more, consequence than either the *legislative* or the *executive*. The *legislative power* enacts laws, to be observed, without exception, by the whole body of the people: the *executive power* carries these laws into execution: but it still lies with the *judge* to determine whether any person has violated the law; so that, without his intervention, no one can be punished for the breach of any statute. True it is, that, by the laws of the land, every man ought to be condemned or acquitted by the sentence of his *peers*, or the verdict of a *jury*; but, if we consider the great influence which *judges* have over the decisions of *juries*, we shall find, that the safety of the subject depends as much upon the *former* as the *latter*. In most cases, the *jury* is not allowed to judge of the *law*, but only of the *fact*; and even with regard to the *fact*, their understanding may be so confounded, or their resolution so staggered, by an artful or overbearing *judge*, that they may be said to speak his language rather than their own: witness the famous case (among a thousand others that might be mentioned) of *lady Lisle* in the reign of *king James the second*, who, after being twice acquitted by the *jury*, was at last condemned by the inflexible obstinacy of the inhuman *judge Jefferies*.

The truth is, Sir, as I observed in my last letter, those *judges* have always been most esteemed during their life-time, and most revered and regretted after death, who have freely allowed *juries* to follow their own judgment. But not only ought a *judge*, from an honest love of fame, and a sincere regard to the eternal laws of justice,

justice, to act with impartiality; he is likewise bound, by the very tenor of his oath, to pursue the same conduct: for, at his creation, he solemnly swears, that he will minister justice indifferently to all men, without respect of persons, take no bribe, give no counsel where he is a party, nor deny right to any one, though the king, by his letters, or by express words, should command him to do the contrary †. A judge is usually defined to be *lex loquens*, or a *speaking law*; and ought to judge by the strict letter of the statute, and not by vague examples: and *Glanvil* calls him *justitia in abstracto*, because he should be, as it were, justice itself §. Add to this, that all the commissions of judges are bounded with this limitation, *facturi quod ad justitiam pertinet secundum legem et consuetudinem Angliæ*; that is, *they shall do justice according to the laws and customs of England*. And so far are kings from having any right to influence judges in their judicial capacity, that they have frequently been found to be utterly incapable to afford them protection, when these last have complied with their arbitrary dictates; for, not to repeat the case of *Sir Robert Tresilian*, which I mentioned in my last letter, it is related by historians of one earl *Typtest*, who was chancellor of England, that he actually lost his head, for acting contrary to law, though by the king's express warrant ‡.

Nay farther, a judge is not only not at liberty to deviate, in any thing, from the *strict letter of the law*, in compliance with the commands of a despotic sovereign: he is not even at liberty to deviate from it in consequence of his own private knowledge, however well founded, if that happens to clash with his judicial information. For judge *Gascoigne* being asked by king *Henry the Fourth*, What he would do, if he saw one kill a man, and another person, who was entirely innocent, should be indicted of the murder, and found guilty by a jury? replied, That he could not, consistently with his oath, acquit him, as he was not allowed to regulate his conduct by his own private knowledge, but must act agreeably to the public evidence: but that, though he was obliged to pass sentence upon him, he would yet respite the judgment, and report the matter to the king, in order to procure him a pardon from his majesty.

I must likewise observe, that what I have now said concerning the great importance of a judge's office, and the indispensable obligation which lies upon him, to adhere inviolably to the laws of the land, is confirmed by the opinion of the most eminent persons who have appeared in this kingdom. The great chancellor *Bacon*, though himself a melancholy proof to the contrary, seems to have been of this mind. In a letter which he wrote to the duke of *Buckingham*, he expresses himself thus: "By no means be you persuaded to *interpose* yourself, either by word or letter, in any cause depending, or like to be depending, in any court of justice; nor suffer any other great man to do it, when you can help it: and by all means dissuade the king himself from it, upon the importunity of any one, for themselves, or their friends. If it should prevail, it perverts justice. If the judge be so just, and of such courage (as he ought to be) as not to be inclined thereby; yet it always leaves a taint of suspicion behind it. Judges must be as chaste as *Cæsar's wife*; neither unjust in reality, nor even so much as suspected to be unjust." The famous earl of *Clarendon*, too, was clearly of the same opinion. Nay, he asserts, that if judges

† 18 Ed. III. c. 1. § *Coke upon Littleton*, 71. ‡ *Burnet's Rich. II.* p. 38.

act wrong in one instance, all the merit which they may happen to have acquired by their former virtuous conduct, instead of an alleviation, ought properly to be considered as an aggravation of their guilt. For, in the speech which he made against the *corrupt judges*, in the reign of *king Charles the First*, when he carried up an *impeachment* against them to the *house of Lords*, he says, "that if they appeared to their *lordships* under the reputation of " *prudence* and *integrity* in all cases, except these presented to " them, their *lordships* would at least entertain the same opinion " of them, which *he of Lacedæmon* entertained of the *Athenians*. " If they carried themselves *well* when time was, and now *ill*, " they deserve a double punishment; because they are not *good* as " they were, and because they are *evil* as they were not."

But however important the office of a *judge*, and however sacred the obligations he lies under to observe invariably the laws of the land, without the least regard to the humour of the prince, or the humour of the ministry; yet shall we find, if we consult the English history, that most of our judges have been mere creatures of the court, mere tools of the ministry, mere instruments to execute their vengeance upon those who have been so unhappy as to incur their displeasure. And I believe it will appear, upon the slightest examination, that there never was an arbitrary and despotic *minister*, but easily found as arbitrary and despotic a *judge*, to assist him in accomplishing his schemes of revenge. And, indeed, without the assistance of an arbitrary *judge*, he could never have accomplished them. For the minister may threaten, but cannot punish; the minister may prosecute, but cannot condemn; the minister may shew his teeth, but cannot bite, without the assistance of a time-serving *judge*. 'Tis the *judge* alone that can give an edge to his resentment. And, as *Jack Ketch* is said to be the finisher of the law in the last resort; so a *judge* may be said to be the finisher of the law in every case that extends not to the loss of life and limb.

But, perhaps, it will be alledged, that this odious character can only be applied to our *judges* before the Revolution, when, as they held their places during the pleasure of the prince, it could not be expected they should thwart him in his designs; but that, as they now hold their places during good behaviour, they are rendered, in a great measure, independent of the crown. Would to God this were the case! and that the influence which our kings formerly possessed over our *judges*, by the precariousness of of their places, were not now equalled, if not exceeded, by an influence of another, and a more dangerous kind! I mean the influence arising from the disposal of lucrative offices; which may be safely affirmed to be ten times as numerous at present, as they were two centuries ago. And though our *judges*, in person, cannot enjoy any of these offices, yet may they be enjoyed by their friends and relations; and 'tis well known, that some men will go as far to serve their relations, as to serve themselves.

Permit me, likewise, in this place, to observe, that, notwithstanding the mighty advantages we are supposed to possess above our ancestors, in consequence of the independence of the *judges* on the crown, we yet seem to be deprived of some considerable privileges which they certainly enjoyed. What I mean is, the election of the *sheriffs* and *justices of the peace*, who were both chosen, formerly, in the county-courts, by the suffrages of the people, in the same manner as *knights of the shire* are chosen at present; but the nomination

nomination of them, now-a-days, is lodged in the crown, by act of parliament, excepting only in the *city of London*, and some *other great corporations*, which still have the right of chusing their own *sheriffs* and *justices*. No one, I presume, will be hardy enough to deny, that this was a very considerable privilege; and I am sure the loss of it will never serve to shew, that our liberties have been improved so much as some imagine. We know but too well, by dear-bought experience, what ill uses have been frequently made of these *royal officers*, both in the *packing of juries*, and the *packing of parliaments*; an evil that might have been prevented, at least in a great measure, if the *people* had retained their ancient right of *election*.

But, of all the instances in which arbitrary *judges* have assisted wicked *ministers* in destroying the *privileges of the people*, the attacks which they have made upon the *liberty of the press*, is by far the most remarkable. And the arguments which they have employed for the effecting of this purpose, are really somewhat curious. I shall just take the freedom to quote, by way of specimen, a few passages from the speech which *judge Allybone* delivered at the trial of the *seven bishops*: and this I shall the rather do, as these arguments contain the substance of what is now urged by the creatures of the court, for subjecting the press to a fresh *imprimatur*.

“ The single question, (*says that prostituted judge*) which falls to my share is, to give my sense of this *petition* *, whether it shall be in construction of law a *libel* in itself, or a thing of great *innocence*. I shall endeavour to express myself in as plain terms as I can, and as much as I can by way of *proposition*.

“ And I think, in the first place, that no man can take upon him to write *against* the *actual exercise of government*, but he makes a *libel*; be what he writes either *true* or *false*. For if once we come to impeach the government by way of *argument*, it is the *argument* that makes the government, or not the government. So that I lay it down, in the first place, that the government ought not to be impeached by argument, because I can manage a *proposition*, in itself doubtful, with a better pen than another man. This, I say, is a *libel*.

“ Then I lay down this for my next position, *that no private man can take upon him to write concerning the government at all*; for what hath any *private man* to do with the government, if his interest be not stirred or shaken? It is the business of the government to manage matters relating to the government. It is the business of *subjects* to mind only their own *properties* and *interests*. If my interest is not shaken, what have I to do with *matters of government*? They are not within my sphere. If the government does come to shake my *particular interest*, the law is open for me, and I may redress myself by law; and when I intrude myself into other men's business, that does not concern my *particular interest*, I am a *libeller*.

“ These I have laid down for *plain propositions*. Now let us consider farther, whether, if I will take upon me to contradict the government, any *specious pretence* that I may put upon it, shall dress it up into another form, and give it another denomination; and truly I think it will not. I think 'tis the worse, because it comes in a *better dress*; for by that rule every man, that can put on a *good vizard*, may be as mischievous as he will to the government at the bottom. So that, whether it be in the form of *supplication*,

* The petition which the bishops, in the reign of *king James the First*, published against reading his Majesty's declaration of indulgence.

“ or an *address*, or a *petition* ; if it be what it ought not to be, let us
 “ call it by its *true name*, and give it its *right denomination*: it is a *libel*.”

And a little farther on he says, that “ we are not to measure
 “ things from any *truth* they have within themselves, but from
 “ that *aspect* which they have upon the *government* ; for there may
 “ be *every tittle of a libel true*, and yet it may be a *libel* still : so
 “ that I put no great stress upon that objection, that the matter of
 “ it is not false ; and for *sedition*, that is what every *libel* carries
 “ in itself. And as every trespass implies *vi et armis*, so every
 “ *libel* against the government carries in it *sedition*, and all the
 “ other epithets, that are in the *information*. This is my opinion,
 “ as to the *law* in general.” And a most excellent opinion, no
 doubt, and very consistent with *law* it is ! Say, thou shame-
 less and prostituted judge ! or rather, thou *shade* of a shame-
 less and prostituted judge ! what could induce thee to de-
 liver an opinion so ridiculous and absurd, so utterly inconsistent
 with all law, justice, and equity ? Was it, like some of thy suc-
 cessors in office, to pay thy court to a weak prince, or to an all-
 powerful favourite ? to raise thyself to the dignity of an earl ?
 or, at least, to lay in such a stock of interest as might enable
 thee to obtain, for thy friends and relations, whatever thou
 should'st request ? Or did it proceed merely from a vindictive heart
 and a tyrannical disposition ? Whichever of these, or whether all
 of these were thy motive, know, that such a conduct, as it must
 necessarily have exposed thee to the resentment of thy contempora-
 ries, will render thy name odious to all succeeding ages.

No man, thou sayest, *can take upon him to write against the actual
 exercise of government, unless he hath leave from the government* : a
 very pleasant proposition truly ! As if any men in power would
 grant leave to any one to write against them, unless it were to serve
 some *sinister purpose*. But thy second proposition is, if possible,
 still more curious. No private man, thou assertest, *can take upon
 him to write concerning the government at all*. And why ? Hear,
 gentle reader, if indeed thou canst hear without indignation, his un-
 answerable reason ! *Because*, says he, *private men have nothing to
 do with the government*. As if, forsooth, *masters* had nothing to
 do with their *servants*, gentlemen with their *stewards*, *principals*
 with their *deputies*, or *bodies corporate* with their *representatives*.
 For what are *ministers* or *governors*, but *servants*, *stewards*, *depu-
 ties* or *representatives* ?

For my own part, I can form no other idea of government, than
 that it is a public trust committed to a few persons for the good
 of the whole ; and the *ministry*, in my opinion, bear the same re-
 lation to the *people*, which the directors of the *East-India company*
 bear to the *proprietors* : and to say, that the *proprietors* of the *East-
 India company* have no right to enquire into the conduct of their *di-
 rectors*, would be considered, I believe, as a most villainous assertion.

Judge *Allybone* likewise says, that *every tittle of a libel may be
 true*, and yet be a *libel*, still. We see, therefore, that this doctrine
 is not new ; but we see at the same time, to whom it owes its
 origin, or at least its encouragement : and we may safely affirm,
 that all those judges who have adopted this doctrine, have been
 nearly of the same character with the infamous judge whose con-
 duct we have now been examining.

True it is, that these infamous judges have commonly, during
 their life times, been able, by the terror of their *informations* and
attachments, to keep all men in awe, and to secure themselves
 against the effects of that popular odium, which was due to their
 wicked actions ; but no sooner had death put a period to their
 existence,

existence, than every mouth was opened in execrating their memory. As a proof of this I have hereto subjoined the following *epitaph*, composed about twelve years ago, upon a *late lord chief justice*, a brother in tyranny and despotism, to *judge Allybone* and others; but whether he has now any successors in these *detestable qualities*, may perhaps be collected from some recent arbitrary proceedings. I am, Sir, Yours, &c. D. O.

EPITAPH on a late LORD CHIEF JUSTICE.

Here rests at last
 From all his SANGUINARY DESIRES,
 * * * * *
 Whose Love of Money was only exceeded by
 HIS LUST OF PUNISHMENT:
 Form'd by Nature for all the CHICANERY OF THE LAW,
 Improved by the double and deceitful Education
 Of a PRESBYTERIAN,
 By unwearied Application to his own Interest,
 By PROSTITUTING HIS CONSCIENCE
 And a true TIME-SERVING SPIRIT,
In spite of Genius,
 From the basest Original,
 He acquired the immense Sum
 Of Three Hundred Thousand Pounds;
 And wriggled himself into the Post
 Of ATTORNEY-GENERAL.
 In the Execution of this Office,
 His Heart constantly felt Affliction,
 His Eye ever flow'd with Sorrow,
 WHEN THE INNOCENT ESCAPED UNPUNISH'D.
 Hence, by *slavish Obedience* to MINISTERIAL MANDATES,
 In *wresting LAWS* to *arbitrary Purposes*,
 He ascended the Seat of LORD CHIEF JUSTICE.
 The same *Thirst of Vengeance* still waited on his Footsteps;
 Those whom he long'd to *punish* as *Attorney*,
 He now *condemn'd*, with Delight, as *Judge*:
 Truth found no Justice, Virtue no Favour, Innocence no Mercy,
 When in *Opposition* to COURT MEASURES:
 Zealous to *establish TYRANNY* in the CROWN LAW,
 Against all but *Robbers* of the PUBLIC MONEY,
 To whom, from *Sympathy*,
 He was *merciful* beyond Measure:
Enemy to Liberty,
 Steady in his *Country's Ruin*,
 Encouraged and adapted,
 By all the Qualities in Head and Heart,
 Which *disgrace Human Nature*
 To request Nobility:
 He ask'd, and it was granted.
 Heaven and Monarchs behold with different Eyes:
 Him, whom his Sovereign summon'd to a Peerage,
 God snatch'd to answer for his Crimes.
 For know, the *Almighty* will not always, unrepenting,
 Permit the *Ambitious* to receive,
 Nor *Kings* to bestow, those Honours on the *Nefarious*,
 Which are only the just Reward of VIRTUE.

T H E

NORTH BRITON.

NUMBER LXX. (or XXIV. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

S A T U R D A Y , O C T O B E R 15, 1768.

*Principiis obsta : sero medicina paratur,
Cum mala per longas invaluere moras.*

To the NORTH BRITON.

SIR,

THERE are *three things* in ENGLAND," says a celebrated lawyer, "the precise bounds of which are altogether unknown; the prerogative of the crown, the liberties of the people, and the privileges of parliament." Every part of this proposition might perhaps have been true at the time it was advanced; but, happily for the nation, the case is now otherwise. The two last, indeed, are still certainly true; and I confidently hope, they will ever continue so. But the first, it is evident, is absolutely false; the prerogative of the crown being now circumscribed within such exact and determined bounds, that its servants can take no step, nor embrace any measure, without being liable to be questioned by the parliament: witness the bill of indemnity, that was passed during the last session, to secure the ministers against the penalties they had incurred, by laying an embargo upon the shipping to prevent the exportation of corn.

As to the liberties of the people, though they are limited by the law, yet may they, in some sense, be said to be unbounded; because the people being the true source of all lawful authority, they must necessarily have the power of ascertaining their own liberties. This power, indeed, they may delegate to others, but can never totally alienate; and if their delegates should abuse it to such a degree, as to hazard the destruction of the national liberties, the people may resume it into their own hands, and be their own legislators.

* The privileges of the parliament, at least those of the lower house, are founded, it is plain, upon the very same principle: for the members, being properly the representatives of the people, must, of consequence, be possessed of as much power as those they represent; and as the power of these last is absolutely unlimited, they must, therefore, be possessed of as many privileges as they think proper to assume. I shall not here enter into a tedious enumeration of all the privileges which the commons enjoy; because the principal of these

these are, pretty generally, known: I shall confine myself, at present, to *one particular privilege*, which, for some time past, they have not exercised, and hardly even claimed; I mean, the *privilege of redressing public grievances*.

Machiavel observes, "that there cannot be a more useful or necessary power given to those, who in a city are appointed as *guardians of liberty*, than that of *accusing* the citizens before some magistrate or council, whenever they offend in any thing against a free state." Now this *useful and necessary power* no body of men enjoys so eminently as the *guardians of ENGLAND*, the *commons in parliament assembled*. They are the *general inquisitors*, or *grand inquest* of the kingdom. To them it belongs to detect and to punish all *malversations in the executive part of the government*; to examine and redress all *national grievances*; and to call to a strict account, and even to pursue to utter destruction, *those exalted state-criminals*, who are too great to be reached by the ordinary courts of justice.

This right, indeed, which the *commons* possess, of enquiring minutely into the *conduct of the ministry*, and of punishing *those ministers who violate their trust*, has been frequently disputed by many of the kings of ENGLAND, who wanted to deprive them of so formidable a power, and reduce them to the character of mere *tax-layers*; but all the attempts which they made for this purpose proved happily ineffectual. The *commons* were not only possessed of the *right*: they were likewise possessed of the *means* of maintaining and enforcing *this right*. By the privilege they enjoyed of granting all money, at least of beginning all money-bills in the lower house, they had it in their power to make the haughtiest princes bend to the pleasure.

And, indeed, it may be observed, that those princes who were most remarkable for wisdom, have always bended to their pleasure with the greatest facility. This appears evidently from the conduct of *queen Elizabeth*, who, upon receiving a remonstrance from the *members of the lower house* against the iniquitous practices of some *foresters and regrators*, who had obtained a patent for the sale of some particular commodities, addressed them in the following noble and patriotic terms:

"GENTLEMEN,

"I OWE you my best thanks and acknowledgments for your respect towards me; not only for your good inclination, but for those clear and public expressions thereof, which have discovered themselves in retrieving me from a mistake, into which I have been betrayed; not so much by the fault of my will, as the error of my judgment. This had undoubtedly drawn a blemish upon me (*who account the safety of my people my chief happiness*) had you not made me acquainted with the practice of these lewd *harpies and horse-leeches*. I would sooner lose my heart or hand, than ever consent to allow such privilege to engrossers, as may turn to the detriment of my people. I am not so blinded with the lustre of a crown, as to let the *scale of justice* be weighed down by that of an *arbitrary power*. The gay title of a prince may deceive such as know nothing of the secret of governing: but I am not one of those *unwary princes*; for I am sensible, that I ought to govern for the public good, and not to regard my own particular; and that I stand accountable to another, a greater tribunal. I account myself very happy, that, by God's assistance, I have enjoyed so prosperous a government in all respects;

“ respects ; and that he hath blessed me with such subjects, for
 “ whom I could be contented to lay down my crown and my life.
 “ I must entreat you, that let *others be guilty of what faults and*
 “ *misdeameanours soever*, they may not, through any misrepresen-
 “ tation, be laid *at my door*. I hope the evidence of a good con-
 “ science will, in all respects, bear me out. You cannot be ig-
 “ norant that *the servants of princes have, too often, an eye to their*
 “ *own advantage* ; that their faults are often concealed from their
 “ notice ; and that they cannot, if they would, inspect all things,
 “ when the weight and business of a whole kingdom lies on their
 “ shoulders.”

How different from this, how peevish and petulant, or rather, indeed, how ridiculous and absurd was the behaviour of *king James the First* ! who, when the *commons* remonstrated to him against some particular *grievances*, told them, with a visible air of displeasure, that their remonstrance was more like a denunciation of war, than an address of dutiful subjects ; that their pretension to enquire into all public affairs, was such a plenipotence, as none of their ancestors had ever presumed to claim ; that the deep matters of state, the *arcana imperii*, the secrets of government, were greatly above their narrow comprehension ; that the management of these depended upon a complication of views and interests, with which they were entirely unacquainted ; that in any business, which belonged to his prerogative, they had no title to interpose with their advice, except when he was pleased to desire it : and he had even the *insolence* to conclude with reminding them of the low, vulgar proverb, *Ne sutor ultra crepidam*, “ Let not the cobbler go beyond his last.” I say, the *insolence* ; for, whatever may be the opinion of some base court-sycophants, it will never be denied by any man of sense, that a *king* may be guilty of insolence towards *his people*, or, which is the same thing, towards *the representatives of his people*. To any individual, indeed, he is, by many degrees, superior ; but to the whole joined together, he is infinitely inferior : *singulis major, omnibus minor*.

But, however great *king James's* pride and insolence, his prodigality and his avarice were still greater. The expences of government required large supplies : his numerous favourites were a still farther charge upon him. Money, therefore, he must, by any means, have ; but money he could not have without the consent of the commons : nor would the commons agree to grant him any money without obtaining a redress of their grievances. This redress, therefore, they were at last able to obtain ; and, in the course of their inquisition, the lord-chancellor *Bacon* fell a just, but lamented, victim to popular resentment, as did also the lord high-treasurer the *earl of Middlesex* ; not to mention a number of other criminals of less note and consequence.

The same artillery was played against *king Charles the First* ; and the same artillery it was, if possible, still more necessary to play against *king Charles*. *King Charles* was, by nature as well as education, more arbitrary and despotic, more haughty and unsubmitting than his father. Far from patiently suffering his ministers to be questioned by the parliament, he would not so much as permit the latter to touch upon the subject. Nay, in violation of the spirit of the constitution, which supposes that the *king can do no wrong*, in other words that *he can do nothing*, *Charles* took upon him *to do every thing*, and of consequence to be guilty
 of

of every kind of wrong. When any thing was done that gave offence to the nation, his constant reply was, that it was done by himself, and not by his ministers: the blame therefore, if any, ought to be imputed to him; his ministers were entirely innocent. The nation, indeed, was at last provoked to take him at his word; and he lived to feel the dreadful effects of trifling thus with the spirit of a free constitution. But the *commons* were enabled, at least for some time, to procure from him a redress of grievances, by employing with him the very same means, which they had employed with his predecessor. These means, it is true, they were now obliged to employ with so much the greater dexterity and art, as *Charles* was suspected, by the generality of the world, to be more dexterous and artful than his father.

The usual language, which *Charles* held to his *commons*, was this: first, grant the necessary supplies, and then you shall have time to enquire into grievances. But the *commons*, having experienced the insincerity of these promises, sometimes in the last reign, and sometimes in this; and having found, that the moment the supplies were granted, the parliament was dissolved; were determined to be no longer the dupes of their own credulity, and of the artifice of others. They, therefore, made the obtaining a redress of grievances an indispensable condition of granting supplies; and, in order the more effectually to carry their point, they fell upon a very judicious expedient. They held out the bait to their sovereign, but would not allow him to seize it; they voted him a supply, but would not finally grant it, until he had complied with all their reasonable demands: and the king, tempted by the proffered sums, which were generally very great, and urged by his necessities, which were always very pressing, was, at various times, induced to yield to their importunity.

In consequence of this, an impeachment was preferred against the reigning favourite, the famous *duke of Buckingham*; and though he escaped for that time, yet would he probably have fallen by another impeachment, had not he fallen before by the poniard of a military fanatic. The *earl of Strafford* too, who, from a flaming patriot, had become a most prostitute courtier, was brought to the block. The courts of *high-commission* and *star-chamber* were abolished: and a variety of other grievances, such as forced loans, benevolences, taxes without consent of parliament, arbitrary imprisonments, billeting soldiers, martial law, &c. were effectually provided against by the PETITION OF RIGHT, that great corner stone of the English liberties.

What sense our forefathers had of the numerous grievances under which they then laboured, particularly of that most intolerable of all grievances, *arbitrary imprisonment*, may be learned from a speech, which Sir Robert Philips made upon the occasion. "I read of a custom," said that patriotic gentleman, "among the old Romans, that, once every year, they held a solemn festival, in which their slaves had liberty, without exception, to speak what they pleased, in order to ease their afflicted minds; and, on the conclusion of the festival, the slaves severally returned to their former servitudes. This institution may, with some distinction, well set forth our present state and condition. After the revolution of some time*, and the grievous sufferance of

* Those who are acquainted with the history of England, need not be told, that king *Charles the First*, like all the other princes of the *Stuart line*, was extremely averse from parliaments: that he assembled none from 1626 to 1628; and that he afterwards continued to reign, without any, for ten years together.

“ many violent oppressions, we have now, at last, as those
 “ slaves, obtained, for a day, some liberty of speech; but shall
 “ not, I trust, be hereafter slaves: for we are born free. Yet, what
 “ new illegal burthens our estates and persons have groaned under,
 “ my heart yearns to think of, my tongue falters to utter.——
 “ The grievances, by which we are oppressed, I draw under two
 “ heads; *acts of power against law, and the judgments of lawyers*
 “ *against our liberty.*”

Having mentioned three *illegal judgments* passed in his memory; that by which the Scots, born after king James's accession, were admitted to all the privileges of English subjects; that by which the new impositions had been warranted; and the last, by which arbitrary imprisonments were authorized: he thus proceeded:

“ I can live, though another, who has no right, be put to live
 “ along with me; nay, I can live, though burthened with im-
 “ positions, beyond what at present I labour under: but to have *my*
 “ *liberty*, which is the *soul of life*, ravished from me; to have *my*
 “ *person pent up in a jail, without relief by law, and to be so adjudged,*
 “ ——O! improvident ancestors! O! unwise forefathers! to be
 “ so curious in providing for the quiet possession of our lands, and
 “ the liberties of parliament: and, at the same time, to neglect
 “ our *personal liberty*, and *let us lie in prison*, and that during plea-
 “ sure, without redress or remedy! If this be *law*, why do we
 “ talk of *liberties*? Why trouble ourselves about a constitution,
 “ franchises, property of goods, and the like? What may any
 “ man call his own, if not the *liberty of his person*?”

This liberty of our persons, however, was effectually secured by the *petition of right*, which I have just now mentioned: it was still farther confirmed by the *habeas-corpus act*, the *bill of rights*, and the *act of settlement*. And who could imagine, that, after being so firmly secured, and so repeatedly confirmed, it should be in the power of any man, or of any body of men, beside the supreme court of parliament, to deprive us of it? But that some man, or that some body of men, besides the supreme court of parliament, possess, at least exercise, such a right, is evident I think, from the three month's imprisonment which your PUBLISHER, Mr. North-Briton, suffered in NEWGATE. If these men, therefore, possess such a right, they ought certainly to be stripped of it: if they exercise it, without being possessed of it, I leave every reader to draw the conclusion.

With regard to the parliaments of *king Charles the Second* in the article of *grievances*, his *long*, or his *pensionary parliament*, which sat no less than *seventeen years*, gave him so little trouble on that head; that he had hardly an opportunity of discovering his disposition. The *commons*, it is true, of this very parliament, preferred an impeachment against the lord-treasurer *Danby*; but that nobleman, by a new trick of his own, or a new trick of his master, appeared before his judges with a *pardon in his pocket*: a very regular way of proceeding no doubt! for I think that to grant a pardon to a man before he is condemned, is every whit as reasonable, as to hang a man first and try him afterwards. That pardon, indeed, did then avail him; but was so well remembered after the *Revolution*, that proper care was taken not to leave *that part of the prerogative as a SANCTUARY*, for the future, *to any wicked minister*. But what was left undone by the *long* or *pensionary parliament*, was effectually supplied by the two which succeeded; for these, it is well known, what by their importunity in obtaining the *habeas-corpus act*, what by their
 vigour

vigour in prosecuting the *exclusion-bill*, gave so much uneasiness to *Charles*, that, except during a very short interval, he ruled ever after without any parliament.

His brother and successor, *king James* the Second, discovered, very early in the beginning of his reign, the same antipathy to parliaments, and the same aversion to the redress of *grievances*; and rather, indeed, than redress those *grievances* under which the people already laboured, or, more properly speaking, rather than be deprived of the power of bringing fresh *grievances* upon them, he thought proper, in a little time, to abdicate the throne, and abandon the kingdom.

Thus it appears, that the *House of Commons* have ever, at least till the Revolution, maintained and exerted their undoubted right of redressing public *grievances*; but, to the best of my knowledge, they have hardly exerted it since. What then is become of this right? Have the *commons* lost it? Or do they not chuse to exercise it? Or is there no object, upon which they can exercise it? A right that is not exercised, is next to no right at all; and the long disuse of it may, perhaps, some time or other, be drawn into an argument against its existence. Have there not been for these eighty years past, or are there not now, any *grievances* in the nation? Or is it, indeed, true, what is insinuated by some discontented spirits, that the *commons* themselves have been the chief authors of these *grievances*? That, so far from being willing, or, in fact, qualified to punish the embezzlers of the public treasure, and the plunderers of the national wealth, they themselves have been the principal plunderers and embezzlers? This charge, I'm afraid, may be urged, with but too much justice against several houses of *commons*, and particularly against the last *venal and prostitute house*, which consisted, in a great measure, of *placemen and pensioners*.

But whatever may have been the character of former houses of *commons*, the present one, I am satisfied, is of a very different complexion. The creatures of the court, in most counties and boroughs, have happily lost their election; and their places are supplied, it is universally allowed, by men of more generous and publick-spirited sentiments. We have, therefore, great reason, as we have certainly a just right, to expect, from our present free and independent representatives, a redress of all, or of most of those *grievances*, which have been treacherously brought upon us by our formerly parliamentary delegates. The enormous increase of our national debts, the proportionable increase of the annual supply, and consequent increase of the public duties and taxes; the scandalous profusion of the national treasure in useless places, and unmerited pensions; the indelible reproach that has been fixed upon our government by the fickleness of our councils, and the unsteadiness of our ministry for these six years and upwards; the massacre perpetrated in St. George's Fields, and the r—y committed upon the duke of Portland; these are a few of the many public *grievances*, which we may hope to see soon examined by a *faithful House of Commons*, and, in some measure, redressed by a *patriotic Parliament*. I am, Sir, yours,

L.

N U M B E R LXXI. (or XXV. of the CONTINUATION.)
To be continued every Saturday. Price Two-pence Halfpenny.

Populi imperium juxta libertatem: Paucorum dominatio regia libidini propior est. TACIT.

S I R,

As to our own free government, it may properly be said to have had its birth in the woods of *Germany*. Its infancy continued from the first arrival of our Saxon ancestors in this kingdom, to the union of the *heptarchy* under king *Egbert*. Its youth reached from this last period to the time of obtaining the famous *Magna Charta*, or, perhaps, to the time of the no less famous Revolution. Its state of manhood, or, if you will, its different states of manhood, have been, I am afraid, but of very short duration. When its old age commenced, I will not at present take upon me

to determine; though I believe I may venture to affirm, without running the risk of being contradicted, that it is now far advanced into that declining period; and if not brought back, as it frequently hath been, by some extraordinary accident, to its first principles, it must soon be dissolved, and end in absolute monarchy.

The diseases that prey upon the body-politic, and threaten it with this cruel and untimely death, are equally obvious and alarming; though, thank God, if proper remedies were applied, none of them are incurable. A large standing army in time of peace, septennial parliaments, an immense national debt, insupportable taxes, passive obedience and non-resistance established into a law by the riot-act, and the incredible increase of pensioners and placemen; these are a few of the many political distempers that threaten the destruction of our free government.

But there is another disease, which, though less attended to, is no less real, and may prove equally fatal to our free constitution; I mean the spirit, which has for some time prevailed, especially during the present reign, of augmenting the number of peers, which is now arrived at an enormous height, and which, if not checked in time, and kept within bounds, may destroy the independence of the lower house of parliament. For let us only suppose, what some people are of opinion is the case already, that the peers were increased to so great a number, as to possess one half of the landed property of the kingdom, and by that means were enabled to return one half, or more than one half, of the representatives of the people, what, I ask any one, would be the natural consequence? Would it not follow, and necessarily follow, that the house of commons would, from that moment, be a mere cypher in the government? How far we are already reduced, or how likely we are to be soon reduced, to such a deplorable condition, I pretend not to say: certain it is, that the number of peers has been surprizingly increased of late, and that our government has for some time breathed a very aristocratical spirit. Of the former of these truths any one may be convinced by consulting a Court-Kalendar; of the latter, his own memory will be sufficient to inform him.

I shall only mention one circumstance, as it is somewhat singular. It has ever been a customary compliment paid to the house of *commons*, that one of the *secretaries of state* should be a member of that house; and this secretary has usually been the one for the southern department, who has generally conducted the affairs of the government in their passage through the house. But, for some time past, none of the *secretaryships* have been bestowed upon *commoners*. These have been entirely engrossed by the *peers*: nor, indeed, do I remember at present a single *commoner* of distinction in any capital office under the crown; for I admit not, as exceptions, the *chancellor of the exchequer*, and the *paymaster of the forces*; the first of these being the eldest son of a peer, and the last owing his promotion rather to his patron's interest than to his own personal merit. To the same cause, perhaps, as much, as to any other, ought to be ascribed the removal of *general Amberst* from the government of *Virginia*, and the appointment of *lord Botetourt* to that lucrative post.

In reality, we seem to be getting fast into the habit of preferring none but *peers* to places of trust and profit; so that, what
with

with the great number of rich *commoners* who have lately been advanced, and are daily advancing, to the *peerage*; what with the opportunities given to poor *peers* to enrich themselves by the large salaries and the larger perquisites of their offices, the chief wealth of the kingdom must, in a little time, come to center in the *upper house*; and thus our constitution, from a *limited monarchy*, or a *regal commonwealth*, must be converted first into a *pure aristocracy*, and thence into an *absolute and despotic government*. Nor let any one imagine, that these apprehensions are altogether groundless; for former parliaments were so sensible of the danger arising from this very quarter, that an attempt was made, though indeed without effect, in the reign of *king George the First*, to limit the *peerage* to a certain determined number; and the reason assigned in the preamble to the bill for projecting such a measure, was the abuse that had been made, and might again be made, at the hazard of the constitution, of the unbounded power which our *kings* have of creating as many *peers* as to them may seem proper.

True it is, that, in a *monarchical government*, it can never be the interest of the *nobility* to suffer the *liberty of the commons* to be destroyed, and much less to assist in destroying it. In an *aristocracy*, indeed, the *nobility* get whatever the *commons* lose; but in a *monarchy* the case is far otherwise: there the *crown* alone is the gainer, and the certain consequence of the *nobility* contributing to enslave the *commons*, must be, that *they themselves* are enslaved at last. For how, in fact, can it possibly be otherwise; since the liberty of the commons cannot be destroyed, unless the constitution be first broken; and since neither the *peers*, nor any one else, can hold their privileges, or their properties, by any better tenure than that of arbitrary will, when the constitution is once broken? This appears evidently from the case of *Spain*, where the *nobility*, foolishly as well as wickedly, assisted in taking away the liberty of the people; but no sooner had they accomplished this work, than they found themselves deprived of their liberty in their turn; and the mighty *grandees*, as they are pompously stiled, they who thought to rise on the ruin of the *commons*; they, who have the vain honour of *cocking their hats in the presence of their sovereign*, have been since seen to stand at awful distance, or approach with respectful cringe, in the presence of a *parasite* or *buffoon* who happened to be the *prince's favourite*. The same too was the folly, and the same the just punishment, of the *Danish nobility* in the last century, who, having reduced the *common people* to a state of slavery, were themselves, soon after, reduced to the condition of slaves under an *absolute monarch*.

In a word, it may be proved, from the concurrent testimony, as well of ancient as of modern history, that destroying the privileges of any one of the members of a free constitution, is necessarily attended with the destruction of all the rest. It is possible, indeed, that, after our liberties shall have been so destroyed, we may still be permitted to enjoy the pageantry and parade of a *parliament*; for it is certain, that the forms of a government may long continue, after its spirit has been entirely annihilated. This, we know particularly, was the case at *Rome*; for we are told by historians, that even under *Tiberius*, one of their most execrable emperors, the freedom of the people was still preserved in outward shew and appearance. The *senate* was still employed in managing the business of the public. Their money was, for many ages after, coined by
their

their authority, as the marks upon it testify to this day; and every other affair received their sanction. Yet it is notorious, that, at that very time, the most shocking barbarities were committed by the emperors; who, while their actions met with no considerable opposition, were well satisfied, that the people should still flatter themselves with the empty shew of power.

In the same manner, and for the very same reason, we may continue to enjoy our parliaments, after their real use is utterly gone. But their continuance, in such a case, would be less a blessing than a curse. Were we stripped of them entirely, we should be sensible of our loss, and perhaps would be excited, in the ardour of our indignation, to make some vigorous effort to recover our wonted freedom. But while we are possessed of the *shadow*, we shall hardly be convinced that we are deprived of the *substance*; and thus our liberties may be irretrievably ruined, before we are aware that they are exposed to the least danger. I am, Yours, &c.

D. G.

To the NORTH BRITON.

S I R,

AS the reflections contained in the following speech, which was delivered by a wit and a patriot of the last age, are extremely applicable to the present reign, I make no doubt but you will readily give it a place in your useful paper, and am, Sir,

Yours, R.

A speech of Sir Charles Sidley in the reign of king William the Third.

Mr. Speaker,

“ WE have provided for the *army*: we have provided for
 “ the *navy*; and now at last a new reckoning is brought
 “ upon us. We must likewise provide for the *LISTS*. Truly,
 “ Mr. Speaker, 'tis a sad reflection, that *some men* should wallow in
 “ *wealth* and *places*; whilst *others* pay away in *taxes* the fourth
 “ part of their revenue, for the support of the same govern-
 “ ment.

“ We are not upon equal terms for his Majesty's service. The
 “ *courtiers* and *great officers* charge, as it were, in *armour*, and
 “ feel not the *taxes*, by reason of their *places*; whilst the *country*
 “ *gentlemen* are shot through and through by them. The *king* is
 “ pleased to lay his *wants* before us; and I am confident expects
 “ our advice upon it: we ought therefore to tell him what *pensions*
 “ are too great, and what *places* may be extinguished during the
 “ war and the *public calamity*.

“ His Majesty sees nothing but *coaches and six*, and *great tables*;
 “ and therefore cannot imagine the *want* and *misery* of the rest
 “ of his subjects. He is a brave and generous prince; but he is
 “ a YOUNG KING, encompassed and hemmed in by a company of
 “ crafty old courtiers. To say no more, some have places of
 “ 3000*l.* some of 600*l.* others of 8000*l.* *per annum*; and I
 “ am told the *commissioners of the treasury* have 1600*l.* *per an-*
 “ *num* each. Certainly *public pensions*, whatever they have been
 “ formerly, are too much for the *present want* and *calamity* that
 “ reign every where else; and it is a scandal, that a government, so
 “ sick

“ *sick at heart as ours is, should look so well in the face.* We must
 “ save the king money, wherever we can; for I am afraid the
 “ war is too great for our purses, if things be not managed with
 “ all imaginable thrift. When the people of *England* see all
 “ things are saved that can be saved; that there are no *exorbitant*
 “ *pensions*, nor *unnecessary salaries*; and all is applied to the use for
 “ which it is given; we shall give, and they shall pay, whatever
 “ his majesty can want to secure the protestant religion, and to
 “ keep out the king of *France*, and king *James* too—I con-
 “ clude, Mr. *Speaker*; let us *save* the king what we can, and
 “ then let us proceed to *give* what we are able.”

To the NORTH BRITON.

S I R,

A S you was pleased to insert in your 68th number the little frag-
 ment I lately sent you, I have herewith transmitted to you another
 imperfect essay, which was found among the same papers, and
 which seems to be the production of *the same pen*.

I am &c. G. O.

————— I T sometimes happens that a *prince* is so
 far engaged in *measures*, which he finds
 to be *wrong*, that he is quite at a loss how to extricate himself;
 but if he should be providentially worked out of his difficulties,
 when he had the least reason to expect it, he would certainly take
 such an opportunity of establishing himself in the *hearts of his sub-*
jects, by giving up his *favourites* and *evil counsellors* to justice, and
 not run the hazard of being involved in the same dishonourable
 circumstances, by trusting the reins of government in their hands
 again. But as it is natural to imagine, that an *odious favourite* will
 leave no stone unturned, to divert his *master* from such a resolution,
 it may not be improper to examine the *arguments*, that are com-
 monly made use of upon these occasions; and we shall find them
 all to be founded upon a misapplication of *good principles*, or a dis-
 guise of *bad ones*.

For instance, as STEADINESS or RESOLUTION in the pursuit of
right measures is certainly a laudable quality in a prince; this is a
 never-failing topic in the mouths of *such men* against any alteration
 of his *measures* or his *favourites*, however wrong the *former* may
 be, or however infamous the *latter*; and because some *wise princes*
 have been justly celebrated in history, for supporting their *ministers*
 against *unjust* opposition, they infer that it is always impolitic in a
prince to regard the complaints of his *people*, and represent it as a
 mark of *flexibility* beneath the dignity of a *great prince*. Thus do
 they confound *steadiness* with *obstinacy* or *mulishness*, and a fickle
 wavering mind, with a rational disposition to correct his conduct,
 whenever he finds it erroneous; whereas nothing in nature can be
 more opposite: nor can there be a stronger mark of WEAKNESS in
 a *prince*, than to prefer the private self-interested whispers of a *fa-*
vourite to the loud complaints of a whole *people*. History fur-
 nishes us with terrible examples of the consequences, which at-
 tend *this kind of* STEADINESS; but that is a point, which *unpo-*
pular ministers take all possible care to conceal from the ears and
 knowledge of their *masters*. It is their business to dwell entirely

on the *other side of the question*, by extolling the good effects of *steadiness*, and the magnanimity of despising *popular clamour*.

Thus when Richard the Second took the *great seal* from an *honest chancellor*, for refusing to put it to an *exorbitant grant*, which one of his *favourites* had obtained from him, and gave it to a *lawyer of a less scrupulous conscience*; we are told that *this action* was mightily cried up by the *court-sycophants*, as an instance of the *king's STEADINESS*; though it was so displeasing to *all the rest of the people*, that he soon lost *their confidence and affection*, and, in a little time after, his *crown and life*. King Charles the First was flattered, no doubt, in the same manner, for continuing the duke of *Buckingham*, his *father's detested favourite*, against the frequent remonstrances of *parliament*, and the general cries of his *people*, which created the first ill blood against that *unhappy prince*; and we have seen *persons* in our days shameless enough to assert, as well as *others* weak enough to believe, that all his subsequent misfortunes were owing to a *want of resolution*, in giving up the earl of *Strafford*; though it is demonstrable that they were occasioned by nothing more than his obstinate support of that *hated minister*, till he was *compelled to yield*; a circumstance, that destroyed all the merit of his involuntary compliance.

How different from this, and how much more worthy of a great prince, was the conduct of *king Henry the Fourth of France*, who was so far from thinking himself under any obligation to support a *wicked minister* against the cries of his *people*, that he declared a *general odium*, or *suspicion only*, to be a sufficient ground for discarding him; and no prince in *Europe* need be ashamed of following his example.

*To the Twelve Hundred And Forty Seven Independent Liverymen of the City of London,
who voted at the Last General Election for John Wilkes, Esq.*

Gentlemen,

AS the list of the City Poll was published by order of your four representatives, with a view, no doubt, to *restore harmony*, to inspire you with *good will* towards one another, and to hand down with *honour* your names to posterity, you will not, I hope, take it amiss, that (in order to give my assistance in so charitable a design) I have selected your names, company, and places of abode, from among those who, either from prejudice or pre-engagement, voted against Mr. Wilkes; and shall publish them in the CONSTITUTIONAL MAGAZINE, No. VII. next Saturday, with a small portrait of the patriotic gentleman, whom, *from your hearts*, you delighted to honour. I am,

GENTLEMEN,

Strand,
21 October, 1768.

With the greatest esteem,

Your very obedient and humble servant,

W. BINGLEY.

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T H E

N O R T H B R I T O N .

NUMBER LXXII. (or XXVI. of the CONTINUATION.)

To be continued every Saturday. Price Two-pence Halfpenny.

S A T U R D A Y , O C T O B E R 29 , 1768 .

Qui se spectat, & propter hoc ad amicitiam venit, mille cogitat : quemadmodum cœpit, sic desinet. Paravit amicum adversus vincula laturum opem : cum primum crepuerit catena, discedet. Hæ sunt amicitia, quas temporarias populus appellat. Qui causa utilitatis assumptus est, tamdiu placebit, quamdiu utilis fuerit. Hac re florentes amicorum turba circumfedit : circa everfos ingens solitudo est : & inde amici fugiunt, ubi probantur : hac re ista tot nefaria exempla sunt, aliorum metu relinquentium, aliorum metu prudentium. SENECA.

To the NORTH BRITON.

S I R,

ONCE there were, and still there should be, only two political parties in this kingdom ; viz. *Revolution-Whigs*, including *Protestant-Dissenters* ; and *Jure Divino Tories*, with their *associates*, the *Roman-Catholicks*. The former, indeed, should not be called a party, being the only true liegemen of the crown, as it is settled upon the illustrious house of BRUNSWICK. The latter can never be considered, consistently with our safety, otherwise than as a desperate, malignant *faction*, whose restless aims and endeavours, to overturn the constitution of this country, should unite all the rest against them,—ever keeping in view, upon all occasions, the *principles* upon which king WILLIAM was invited, by our ancestors, to deliver us from despotick power, and the *pacts* of government established in consequence of that deliverance.

Instead of keeping up this plain and simple distinction, we have foolishly suffered ourselves to be divided and subdivided into parties almost *in infinitum*, with each a petty leader at its head, *bolstered up* by the encomiums and apologies of certain politicians in his pay ; and all this without any concern for, perhaps without any conception of, the rights of his fellow-subjects.

To account for this, we need only look at the frequent changes that have happened in the departments of public business, within a few years past. They who went out, have always carried off some remnant of their political system ; which being adopted by their confidants, dependents, and fellow-sufferers, made up, by degrees, the principles of a party, and served to dignify the discarded minister with the name of patriot, among those who found their account in adhering to him.

In all this strange rotation of ministers, (will posterity believe it ?) there has been but one *invisible* hand, which *played* these men one against another, like so many *puppets* ; and having *exposed* them *in place*, contrived matters so as to make it impossible for them to come into any sort of understanding, one with another, when *out of place* : a circumstance, upon which *his own safety* hath hitherto depended.

The main implements employed in these operations have been
avowed

avowed *Tories*; men, with whom, a while ago, a well-affected subject would not have associated, out of an apprehension of bringing his principles in question by keeping such company. These, however, being *lacquered over* with a little court sun-shine, have passed for very reputable royalists.

But though these were the *main*, yet were they not the *only*, tools of the GRAND PUPPET-PLAYER. By the strangest infatuation that ever befell men of common sense, numbers of Whigs have been drawn in, to mix with these motley despicable groupes, and by their credit and figure have given a strength and cement to the pestilent system of the *malade imaginaire*, which, now that some of them see their error, they will hardly be able to overset, for want of that confidence, which no man can have with a free, generous people, who does not preserve the dignity of a *consistent* conduct.

These mongrel characters, however, whether in or out of place, begin now to see a necessity for *putting on* a Whig countenance, to accomplish their own private projects, though they wear it so awkwardly, as not to be able to hide the detestable taint they contracted, while in the more immediate service of the PUPPET-MASTER.

One or two examples will sufficiently illustrate our subject. The *ostensible* STAMPER of America, working by himself and his *tools*, to avenge his former disappointment upon the colonists, tells us, by his agent, *Mentor*, [in the *Public Advertiser*] how much he is in love with parliaments, and how much he ascribes to their power and authority. But being still strongly impregnated with the *Stuartine* particles imbibed while in the *suite* of the SCOT, he begins with abusing the parliament of *forty-one*, upon whose wisdom and success it depended, whether Britain should ever thereafter have either a limited monarchy, or a free representative; and he who should say, that we learned our Revolution-language from the maxims of that venerable assembly, would not be easily confuted.—So much for a Whig-Patriot *out* of place.

The tool of another, yet for aught I know *in* place, who takes his denomination from his client, and whom he cries up for a staunch Revolution-Whig, pleads, in the very same page, with great zeal and plausibility, for restraining the liberty of the press. —I beg the gentleman's pardon, it is only the *abuses* of the press he would restrain. But who is to judge of these abuses? Oh, the gentleman and his principal, against the world. For how, otherwise, could he be sure of coming at the ears of that unlucky fellow Lucius, who discovered so unseasonably, that, with all our whiggism, we were not unmindful of the parting *behests* of the migrating THANE.

Is there no consistent Whig, then, to be found in this wide world?—Hardly in the wide world of *statesmen*. One, indeed, I know of, and him not in the wide world, but in NARROW DURANCE, who has saved us the trouble of further examples, by becoming the touchstone of trial for all the rest. If you can find a ministerial Whig, fresh or stale, who, in the course of this gentleman's ill usage, hath shown the least disposition to befriend him, I will give up the point, and take even Mentor's word for a constitutional patriot.

If you ask, on what account he is become obnoxious to his old friends? I will tell you. Besides the tacit reproach which his inflexible steadiness to the cause of public liberty hath cast upon *Trimmers* of all complexions, he hath had the impudence to utter certain *prophecies*, wherein he foretold the very state of things

things we are now contemplating, some of us with wry faces, and others, in *Colley Cibber's* phrase, *with a palpable ignorance what to think of it*: in these enthusiastick strains, he foretold the grand *apostasy* which would happen among a *wavering Minority*. He showed them the dirty *puddle* through which they would be dragged. He pronounced openly to what *sneaking* apologies they would be reduced, when called to account before the THANE, for acting, feebly as they did, upon Revolution-principles; and to what scorn and contempt of their fellow-subjects they would expose themselves, by their base retractations. He showed them with what facility their faint excuses, and flimsy pretences, with which they glossed over their defection, would be seen through, and ridiculed. And what, indeed, was most provoking of all, he represented them as contentedly fattening upon the pensions allotted them, when, being no longer for the *Scotchman's* turn, they should be dismissed to make room for still meaner and more abject tools than themselves.

While the persons pointed at in these *predictions* kept the form of a party, and while the links of the chain which held them together, were only wearing away imperceptibly, *they* were smiled at, as the airy fallies of a humorous satyrist. Some, indeed, of the graver sort said, *he went too far*; but still they bore with him, and even carested him. But no sooner did the *fulfilment* begin to appear in some striking instances, than these publick-spirited associates deserted him. The snacks of what went through the gridiron, could not be had with the frowns of power. To cover their duplicity, they meanly distinguished between the *cause* and the *man*: of the *first* they availed themselves for their own security; the *latter* they left to the vengeance of those, who had no other quarrel with him, but for espousing that *cause*, and detecting their iniquitous attempts to subvert it.

In these circumstances, determined, intrepid, steady and consistent, he offered his service alternately to two respectable bodies of his fellow-subjects. The first, having newly learned the logic of distinctions, rejected him. The other, despising the sophistry, and well knowing what must become of the *cause*, when the *man* was crushed, accepted his offer, with a noble sensibility of his worth; and with a freedom and alacrity, of which it is hoped they will, in *no long time*, give the public ANOTHER edifying example.

Here let us stop. May the enemies of Great-Britain never have an opportunity of telling the rest with pleasure.

I am, SIR, your very humble servant,
PAOLINI.

To the NORTH BRITON.

Temperat omnia Luce.

OVID.

SIR,

I Have always been a great admirer of consistency in politicks. Hence it was long a matter of indignation to me, after the English *jus trium liberorum* was settled by law to be the privilege of producing beggars, that our rulers did not issue another order, for immediately eating at least three-fourths of us. This would have saved the constables, the judges, the hangmen, and ourselves, a great deal of trouble. But so equally absurd are the governors and the governed, that we go on begetting children with as little concern as we say our prayers. We exhaust our own strength, without sufficient bread to recruit it; and give being to others, who, if

if they escape dying of hunger, may probably be as silly as ourselves.

So very severely of late years has the exorbitant price of provisions been felt by almost all manner of persons, that some of the wisest amongst us have been very properly employed to find out a remedy for this alarming evil. But although many an eighteen-penny essay has been written, in which many a shrewd hint has been suggested, yet it must not be dissembled, that nothing has yet been thought of, in any degree, effectual. Indeed it has been affirmed, that the late Mr. *Charles Townsend* would have taught us the desirable art of getting victuals, had he lived some time longer. But he is gone, and, as general Conway hinted, *we may never see his like again*. Others are of opinion that even *he* could not have saved us from famine. The honourable Mr. Soame Jennings declares the malady incurable; and advises us, since starve we must, to bear it like men.

But though very willing to pay all proper deference to my betters, I could never yet be prevailed on to sit down quietly and die, because they are pleased to recommend it. This obstinate humour may, perhaps, be troublesome to myself; but I hope it has been productive of some good to others. For I flatter myself, I have hit upon a method to lower the price of at least one necessary article in house-keeping; and as Mr. Jennings demonstrates, that the price of one commodity influences that of all the rest, in as much as the price of a pair of leather breeches may affect the price of ginger-bread, so I have some faint glimmerings into futurity, which predict the cheapness of caudle, from the plenty of candles.

What I would propose is, that every parish-clerk throughout England and Wales—I have no cares for Scotland—I say, I would have the parish-clerks inspect carefully into the state of every man, woman, or child, that dies within their respective parishes, and if, upon due enquiry, it shall appear (what I hope, will appear very plainly) that no one corpse is ever interred, which has not in it tallow enough for, at least, one farthing candle, it will follow, that we have for many ages, like the worst of all misers, been locking up our riches in the earth: we have been neglecting our own emolument, to line the bellies of ungrateful worms. But when a proper application shall be made of this *intrinsic* worth of every one of us, our survivors will enjoy a benefit, which it were a great pity any longer to deprive them of, and which perhaps will be equal to any other good that some of us have done. I throw out this innuendo only against myself and some other little men. For I am fully determined all my life to reverence the superior virtues, wisdom and piety, of the Lords spiritual and temporal, the members of the House of Commons, the most honourable Privy-Council, and all very great men whatsoever.—But to return; I apprehend the principal butchers will readily enter into any reasonable agreement with the overseers, for collecting the fat of every parish. When that is done, I would propose, that it should be immediately bought up by the government. The government in that case will pay us, as we do them, in ready money. That money, as I would not load my country with useless offices, might be allowed us by the collectors of the land-tax. Some few prudes and petit-maitres may possibly object to having their bellies opened for this salutary purpose. For the relief of all such complainants, I would propose to have the body honestly weighed, and taxed at 4s. in the pound; and, to avoid a pernicious monopoly even in the government, provision should be

be made for several parishes and individuals, who may be desirous of disposing of their tallow at such markets as they like best. Let all such pay a small fine, as much as, had their fat been sold in the way proposed, the government might have been fairly supposed to get by selling it again. In settling this fine with the fat-gatherer, it will be proper, as much as possible to prevent trouble, to consider that all large cities, collegiate churches, colleges, inns of court, and corporation towns, may reasonably be supposed to be fatter than country villages and some cottages, in the same proportion as an alderman is fatter than a curate or a schoolmaster.

I know of no objection, of the least weight, that can be urged to this scheme, and shall therefore observe, that the pure love of my country is my sole motive for proposing it. No man can suspect me of any private views, when he is informed, that I live in an opulent corporation-town, that I go with the churchwarden to every visitation-dinner, am never absent from the mayor's feast, am a great stickler at elections, and that, in consequence of this manner of life, I am much more purdy than any one in the whole place, excepting only the rector, the landlady at the Eagle and Child, and Mr. Fungus my next door neighbour, who was a sloop-seller in the late war.

But though I live thus comfortably, should my project be adopted, I need not mention what additional joy it must give all good men to consider, that over-gorging is all for the good of the nation. He that burns candles all night over his bottle, will drink with the happy presage of soon being able, from his own bowels, to light a brother Bacchanalian. The card-player may lay down his bones to rest, since he is hardly worth the opening. But if he should, after so much wasting, afford an ounce of grease, let him take the honour of affording some succeeding gamester a candle to curse the cards and himself by.

These instances are sufficient. All other useful professions will experience a proportionable increase of happiness.—*Vivet post funera virtus!* I am, Sir, your's, &c.

PRO REGE ET GREGE.

The following is extracted from a sensible Treatise lately published, on the DOCTRINE OF ATTACHMENTS FOR CONTEMPT; and as it seems to relate particularly to Mr. BINGLEY, the Publisher of this Paper, we hope it will not be disagreeable to lay it before our Readers.

CAN any thing be more absurd than to make a rule on the party, to attend at a certain day, in order to shew cause why an attachment should not be granted against him, and when he personally appears in court, to refuse him the opportunity of vindicating himself, unless he will do it by counsel, who decline to make *his* defence, declaring to the court that it is an improper one, that it is such an one as is not fit to be heard by the court? Such a proceeding as this would be not only ridiculous, but also contrary to natural justice. For it was held by *Edward the Fourth's* chancellor and judges, that to condemn a person without hearing him, or giving him an opportunity of defending himself, was contrary to the law of nature, such a proceeding hath also been held illegal and void, by court of B. (a) R.

This denial of justice, hath however been termed, grace, favor, indulgence, tenderness, and who can deny but that it hath been most properly so too? For suppose a man appears personally in court, either out of respect to the court, or from his inability to fee counsel to speak for him, in order to make his defence to a charge of having published a contemptuous writing concerning the court, such party is not permitted to vindicate himself, because his defence is presumed *libellous* before it is heard, and most *justly* so indeed; for what other defence can a *libeller* set up, but a *libellous* defence; and therefore the court upon such apparent guilt will be obliged to commit

(a) 9 Edw. 4. 14. a *Fortesc.* Rep. 206. 2 Lord Raym. 1343. See *Stra.* 567. 630. 678. *Sid.* 14. pl. 7. 2 *Sid.* 97. 4. Mod. 33. 37. *Salk.* 187. pl. 1. 2 *Salk.* 434. 435. 11 Rep. 99. a *Styl.* 446. 452. Lord Raym. 2. 225 2 Lord Raym. 1405. 1407. 6 Mod. 41. 8 Mod. 3. 101. 154. 377. 12 Mod. 27. and many other Authorities, wherein the judges of B. R. declare the above Doctrine to be law.

the party immediately, in order to his answering interrogatories in relation to the contempt, in custody.

If the Rule *nisi* is made absolute for an attachment, on shewing cause; it is the course, that is the law of the court, to suffer the party to enter into a recognizance with two sureties, to answer the interrogatories; (he having been previously bound to appear at the return of the writ, and appeared accordingly) the sum, in which the party and sureties are to be bound, is in the discretion of the court.

This discretion of the court hath been thus most emphatically defined by one of the first judges, as well for ability as integrity, in this country.

“The discretion of a judge is the law of tyrants, it is always unknown; it is different in different men, it is casual, and depends upon constitution, temper and passion; in the best, it is oftentimes caprice, in the worst, it is every vice, folly, and passion, to which human nature is liable.”

It is not long since, that the justness of this definition was remarkably verified; for one judge insisted on 2000*l.* bail, whereas another accepted 200*l.* for the self-same offence.

The defendant having entered into a recognizance, to answer interrogatories; when they are ready, he is served with a written notice of the time, place and person he is to attend in order to be examined: he is not suffered to take a copy, or even to have a sight of the interrogatories previous to his examination; he may indeed demur to, that is, refuse to answer such of them as are leading or improper, but as the defendant has no time allowed him to consider of the propriety or tendency of the interrogatories, this liberty of demurring to them, is altogether ridiculous, as it almost impossible for the defendant to avail himself of the advantage, if such it be.

If the defendant refuses to answer the interrogatories, the examiner certifies his refusal to the master (a) of the crown office, who upon hearing counsel on both sides reports his opinion (upon its being moved for, as in civil cases) to the court, who thereupon discharge or punish the defendant according to the said report.

If the defendant answers the interrogatories, they, together with the depositions, are laid before the master, and he proceeds thereon as before stated.

Neither counsel or solicitor is admitted on either side before the examiner, but the parties are allowed both before the master, and also copies of the interrogatories and depositions, in order to clear or establish the contempt.

I once heard a judge declare from the bench, that he was much surprised at a strange notion which prevailed abroad, viz. “That a reflection on one single judge was not a reflection on the whole court;” and yet there seem authorities in the books, to support this notion, at least such inferences and conclusions naturally result from them, as make them Cases in point; for instance,

The court of *B. R.* will not grant an attachment against one for disobeying an order made by a judge at *Nisi prius* (a), (b) the *Old Bailey*, or at chambers, unless the same be made a rule of court; and the reason given is, for that it is *no contempt to the court of B. R. but only to the judge who made the order* (c).

On what other reasoning, than that a contempt of one single judge is not a contempt of the whole court, could lord *Ferrers's* case be determined? which was thus:

An *Habeas Corpus* (d) had issued in the vacation for him to bring his countess before a judge, which the earl not doing, a motion was made the ensuing term for an attachment for a contempt in not obeying the writ; but the court was of opinion it was *no contempt to the court*, the writ not having issued by virtue of a rule of the court, but only on the fiat of a single judge at chambers; and the motion was denied, and a rule granted for another *Habeas Corpus*.

Having shewn the nature of contempts, upon what occasions, and against whom attachments have issued, and also the proceedings thereon, it may not be unreasonable to conclude, that they were originally instituted for the benefit of the subject, that they were established to enforce obedience to the commands of courts of justice, that they were founded in necessity; for if courts of justice were not possessed of such a power, their proceedings would be oftentimes vague and nugatory. However, it does not appear that it was usual for the courts to extend this unconstitutional process to cases not attended with those special circumstances, which have always been wisely thought necessary to support this proceeding, a proceeding wherein the court exercises the distinct and peculiar provinces of party, accuser, judge, evidence, and jury (e): and they have therefore seldom granted this *star-chamber* process against either the authors, printers, or even real publishers of contemptuous writings, reflecting on the proceedings or members of courts of justice, and never against the mere sellers, when any of the others were amenable to justice: as this is rather a bold assertion, I shall now proceed to maintain it on the principles of the law and the constitution, and for this purpose shall take a cursory view of the precedents and examples of former times, which seem most clearly to prove the above assertion; such reports, cases and arguments as may be thought to invalidate the point I contend for, I shall endeavour to refute by observations drawn from the spirit of the constitution.

(a) Now *James Burr*, Esq. (a) *Salk.* 84. pl. 3. *Bac. Abr.* 184. 2 *Hawk.* Pl. Cr. 154. (b) *Dig.* Lib. 13 & . (c) *Lil. Pract. Reg.* 163. F. (d) *Dig.* Lib. 139. (e) *Dig.* Lib. 138.

T H E

N O R T H B R I T O N .

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Speciosa verbis; re inania aut subdola: quantoque majore utilitatis publicæ imagine tegebantur, tanto eruptura ad gravius damnum.

TACIT.

To the NORTH BRITON.

S I R,

THOUGH I mean not, in general, to go out of my road, in order to take notice of every silly pamphlet, that may be offered to the public in defence of the ministry; yet, when any thing of this kind appears, that bears evident marks of coming from those who are possessed of authority, or, at least, from those who formerly were, and may again be, possessed of authority, I hope it will not be deemed inconsistent with my plan, nor prove disagreeable to my readers, if I interrupt a little the course of my lucubrations to bestow a few remarks upon it. I shall, therefore, employ this paper in making some observations upon a pamphlet lately published, intitled *THE PRESENT STATE OF THE NATION, &c.* and supposed to be the production of the famous *American Stamp-master*.

The principal points, which this writer labours to prove, are, that we were under an absolute necessity of concluding the war at the time we did; that the peace *has been*, or rather indeed *will be*, productive of all the good effects, which can reasonably be expected from it; that the national debt cannot be discharged, nor even diminished in any considerable degree, but by imposing taxes upon *America* and *Ireland*; and that the present peace establishment must still be maintained in its full extent and vigour. But the arguments he advances in support of all or of most of these assertions are, to the last degree, ridiculous.

As to the first, he affirms, that France, which, by his own confession, was reduced to a state of absolute bankruptcy, was more capable of carrying on the war, than England, which was only oppressed with a pretty heavy debt. But how a maxim should be true in a political, which is certainly false in a mercantile, sense, I cannot well imagine; for a bankrupt merchant surely is less capable of carrying on business than one that has still credit, though perhaps indebted to double or even to treble the amount of his real substance. I remember, indeed, that, during the war, we had a set of such *wrongheads*, who daily held forth, in writing and in conversation, that *Great-Britain* would be *ruined by her successes*, and *France*, of consequence, *saved by her losses*: but how it happened

pened I know not: the people could not comprehend the force of their arguments; and as little, I am persuaded, will they be able to understand the strength of this author's reasoning. There is one sense, it must be owned, in which a nation may be ruined by her successes; and that is, that such successes may prove fatal to her freedom: no nation having ever yet appeared in the world, that has been able to preserve long the freedom of her constitution, after having greatly extended her conquests. But this is an evil, which, if our peace-makers foresaw it, I believe, they very little dreaded; their conduct both at that time, and ever since, having been of such a nature, as to give us no reason to think, that they have any great tenderness for the liberties of their country.

It must likewise be observed, that the very same causes, which, towards the conclusion of the war, reduced *France* to a state of bankruptcy, have contributed, since that time, to restore her to her former prosperous and flourishing condition. Her want of credit obliged her to raise her supplies within the year; for this purpose it was necessary to impose upon the people the most intolerable taxes; intolerable taxes must enhance the price of all kinds of commodities: and the high price of commodities must ruin her foreign trade. The money allotted for the support of her armies, was spent either in *America* or *Germany*. From the former she was prevented from recovering it by the destruction of her marine: from the latter she had neither merchandize to purchase it, nor credit to borrow it. And thus it may be affirmed, that, in the year 1762, the *French* were reduced to a state of downright beggary. But *aliquisq; malo fuit usus in illo*. Their former poverty was the cause of their present prosperity. The low condition, to which they had been brought, was the reason of their sudden and surprising recovery. A man, who has been brought to the gates of death by a violent fever, always recovers more speedily, and more sensibly, than one who has been brought nearly to the same condition by a slow consumption. The people, being poor, were extremely willing, and being now freed from the extraordinary taxes, which ceased with the war, were abundantly able to work for low wages. Where the wages are low, commodities will be cheap; and cheap commodities will always have the preference to those of the same goodness in foreign markets. Thus the *French* trade, for a very natural and obvious reason, has been constantly upon the increase since the peace of *Paris*.

Contrary causes have produced contrary effects in *England*. For, notwithstanding the great weight of our taxes, it is a notorious fact, that there was more money in this kingdom at the conclusion of the war, than at its commencement. *Soame Jennings*, if I rightly remember, computes the difference at no less than one third of the national specie. With such a superabundance of money, therefore, the price of provisions must proportionably rise: the price of provisions must raise the price of labour; this last must raise the price of manufactures; and high-priced manufactures cannot find a vent in foreign markets: and thus our trade, and, consequently our money, must necessarily decrease, though all the ministers and all the men in *England* should hold their hands about it. For, to use a comparison of one of the first politicians of the age†, money may be considered as a fluid, which, if, by some extraordinary accident, it be raised in one place above its level, will naturally sink to its former state, when all impediments are removed.

† David Hume, esq.

Nor must I omit taking notice of a most glaring instance of dissimulation in this writer, who, in enumerating the circumstances which enabled *France* to continue the war, mentions some advantages, which are certainly common to her and to *England*. For instance, he says, p. 10, "That, as it must ever happen from the policy of that government, (*viz.* the *French* government) the last troops she sent into the field were always found to be best, and her frequent losses served only to fill her regiments with better soldiers." Now, what is the meaning of this paragraph? Is it not the very same with that of a remark, which he had made, in the preceding page, on the *English* government, though without having the candour to draw the same conclusion from it. "The idle," says he, p. 9, "and the licentious, had long been gleaned from the country, and the laborious and industrious must now supply our levies." But it is well known that the laborious and industrious, who are strong and hardy, prove always better soldiers, than the idle and licentious, whose bodies are enfeebled, and their minds debauched, by their loose and disorderly course of life. And what other reason but this can be assigned, why the last troops, which *France* sends into the field, should always be the best, and her frequent losses only serve to fill her regiments with better soldiers?

The same sophistry and fallacious reasoning appears in the following paragraph in the same page: "The glory," says he, "of the prince was a resource that still remained for engaging the French subjects to serve without pay, and the military honours had not yet been held out as the rewards of gratuitous service."

But, whatever may be the feelings of this right honourable gentleman, and others of his kidney, who, I believe, have no farther regard for their country, than as she affords them an opportunity of preying upon her vitals, I will take upon me to affirm, that the love of one's country is as strong and as general a principle in the breasts of Englishmen, as the glory of the Grand Monarch is in the breasts of Frenchmen.

This gentleman's *chicanery*, great as it is, is still exceeded by his *insolence*. Sir Robert Walpole, I remember, in the year 1733, called the British merchants a set of *sturdy beggars*. But this gentleman goes a step farther, and calls them downright *liars* and *impostors*. The merchants, it seems, had promised, or rather, indeed, insinuated (for they could not absolutely promise) that if the *Stamp Act* was repealed, the orders for goods from *America* would be much larger in 1766, than they had been in 1765. In these promises, however, or more properly conjectures, they happened to be disappointed; at least they were so, if we take this gentleman's word for it; and therefore he adds, "So greatly was the administration and parliament abused by those (*viz.* the merchants) they confided in, and so dangerous is it to allow interested traders to direct the measures of government." Now, admitting the truth of the assertion—of which, however, there is some reason to doubt—all that can be said of it is, that the seeds of jealousy had been sown so thick, and had taken such deep root by the pernicious schemes of this arbitrary *Stamp-master*, that the *Americans* could not lay aside their apprehensions so soon as the *British* merchants expected; and indeed it is to be feared, as matters now stand, it will be a long time before they can lay them aside. As to the "danger of allowing interested traders to direct the measures of government," I am fully satisfied in my own mind, and so, I dare say, are ninety-nine in a hundred of the good people of *England*, that it would have been much happier for the nation, if the measures of government, for these eight years past, had been directed

rected solely by traders, instead of those who have had the direction of them. Our affairs might, probably, have been in a better situation : they could not possibly be in a worse.

As to the advantages of the peace, this author very wisely refers us to some future period ; conscious, I suppose, that we have not yet received, nor are likely soon to receive, any considerable benefits from it. Whenever we engage in another war, he says we shall then feel the good effects of it ; as we shall be able to carry on our military operations at a much less expence ; a piece of consolation, in my opinion, nearly a-kin to that which a knavish solicitor gave to his client, who, after having exhausted his whole fortune in prosecuting a cause in Chancery, was told by his solicitor, by way of comfort, that, if ever he had another cause there, he would be able to finish it for one half the sum.

But the observations, which he makes on the conclusion of the peace, are too curious to pass unnoticed. “ Whether,” says he, p. 11, “ by the subsequent treaty Great-Britain obtained all that might have been obtained, is a question, to which those only who were acquainted with the *secrets of the French and Spanish cabinets*, can give an answer. Now I will venture to say, that this wretched quibble (for it is no better) might be given as a satisfactory reason for any peace, or for every peace, which this nation has made with the courts of *Paris* or *Madrid*. For who is acquainted with the *secrets of the French and Spanish cabinets* ? The ministers, to be sure, and they only ; and their word, therefore, and theirs only, is to be taken for the goodness or badness of the treaty. “ The correspondence,” adds he, “ relative to that negotiation has not been laid before the public ; for the last parliament approved of the peace as it was, without thinking it necessary to enquire whether better terms might not have been had.” A very fine compliment to the last parliament truly ! and a very just compliment, too, I believe : for such was the blind and slavish submission of that *venal* assembly to the dictates of the minister, that I have no doubt but they would have approved of the peace, had we even restored to the enemy all the conquests we had gained. But, *de mortuis nil nisi bonum* : that odious assembly is now gone ; and, I trust in God, we shall never, hereafter, be cursed with such another.

As to the amount of our national debt, which this author computes at 148 millions at the conclusion of the war, and 141 millions at present, I shall not dispute the exactness of his calculations. The debt, I believe, is very great ; and I am sure it is double, if not treble, of what it ought to have been, had matters been managed with that œconomy, which has been so much talked of, and so little practised. For I am firmly persuaded that the government never, really and actually, stands in need of one shilling, that two, if not three, shillings are not levied upon the people ; witness the immense fortunes that were suddenly and almost miraculously raised during the late war ; and all, too, out of the money of the public.

For my own part, I can form no other idea of the national debt, than that it is a political engine for extracting money out of the pockets of the people, and transferring it into the pockets of our ministers and placemen. The government, for instance, wants a million of money : three millions are instantly levied upon the people. The million, that is wanted, is soon spent, and returns among the people, without their being obliged to pay any interest for it. But the remaining two millions are lent to them again at a very high interest : and thus our ministers and placemen, by their juggling and legerdemain tricks, have at last brought the people

under

under a necessity of paying near five millions annually for the loan of their own money. These five millions, added to above three millions for the peace establishment, and about one million for the civil list, make nine millions yearly. Suppose now that these nine millions are one third of the current specie of the kingdom. It will thence follow, that the price of provisions, and of all other commodities, must be raised one third by the taxes imposed for the payment of this sum. And thus the people of *Great-Britain* pay one third of their substance, or, which amounts to the same thing, labour one third of their time, or two days in a week, for the benefit of their ministers and placemen; and, during that time, they are as arrant slaves to them, as the Polish peasants are to their tyrannical lords, or the American negroes to their cruel masters. Such are the blessed effects of our immense national debt, and of our numerous and intolerable taxes! The people of *England* are thereby deprived of their liberty for two days in the week, or four months in the year. Could they, indeed, contrive matters so, as to live without victuals and cloathing for these two days in the week or these four months in the year, they might still retain their liberty. But this is a remedy, which would be worse than the disease, and which they will hardly, I believe, be persuaded to put in practice.

How then is this debt to be discharged? For by the ridiculous method, in which our present ministers proceed, it will never be discharged, and scarcely even diminished; and to say the truth, whatever they may pretend, nothing, I am convinced, is farther from their intention. They have too long tasted the sweets of such a traffic, willingly to forego such a lucrative commerce. I will just take the liberty of hinting at one simple plan, which, in my opinion is the only rational plan that can ever be suggested, though I frankly confess I despair of seeing a minister, that will have the virtue and the courage to carry it into execution. Instead of continuing our peace establishment in its full extent and vigour, as this author proposes and repeatedly urges, let it be reduced to one fifth, one sixth, or even to one seventh of what it is at present. Instead of maintaining an useless army of 47 thousand men, let it be reduced, as it was in the reign of queen *Anne*, and even in that of king *George* the First, to seven or eight thousand. For to what purpose, in God's name, should we kept up such a numerous army? Is it to defend us against the attacks of foreign enemies? Our navy and our militia are our only firm and constitutional defence against this and against every other danger. Or is it indeed?—But here I must stop short; for I cannot believe the malicious suggestions of some turbulent spirits, who assert, that our army is kept up, not to defend us against foreign enemies, but to over-awe the people of *England* themselves, who, labouring, as they do, under a thousand hardships, are filled with such a spirit of discontent, that they could not otherwise be retained in order. If this be the case, our situation is truly desperate. A numerous army must occasion heavy taxes; heavy taxes must encrease the discontents of the people; and thus the army, the taxes, and the discontents of the people, must go on encreasing in a regular proportion, till at last matters come to a crisis; a crisis, however, which, I firmly trust in God, is yet at a great distance, and which I sincerely pray may never happen in our days, nor in the days of our children.

The truth is, all the great governments of Europe (as all great governments ever did and ever must prove) have become intolerably burthensome and oppressive to the subject; and to this cause,
I believe,

I believe, more than to any fear of losing their liberties, or any desire of throwing off their dependance, ought to be ascribed the unconquerable aversion, which the *Americans* have discovered, to submit to any taxes imposed upon them by the British legislature: apprehensive, as they must be, judging of the future by the past, that the taxes laid upon them would not contribute, in the least, to diminish the taxes in *England*; but that they, as well as their English brethren, must expect to be loaded with the most insupportable burthens. I therefore imagine, that the famous *Stamp-master* will find it extremely difficult to persuade the *Americans*, and still more the *Irish*, to submit to the taxes, which he proposes to lay upon them.

I have not room to pursue this author through all his absurdities: but this is a task which would require a pamphlet almost as large as his own. I will only farther observe, that, however much I may differ from him in other points, I heartily agree with him, where he says, “that dignity can only be restored to government, and a
“love of order and submission to the laws inculcated among the
“people, by committing the administration to men of virtue
“and ability.” But can these good effects be ever produced by setting a rash, hair-brained, and profligate youth at the head of the ministry? To see the same person this evening attending a common strumpet to the opera, and the next day presiding at the first board in the kingdom, or in close conference with his sovereign on the weighty affairs of state, is such a violation of all the rules of decency, as must expose any government to contempt and derision.

A few copies of the 71st Number of this paper having been printed off incorrectly, those readers, into whose hands they have fallen, will, it is hoped, be so good as to excuse and amend the following ERRATA:

P. 426. L. 13. from the bottom: for *secretaryships have been commoners*, read *secretaryships have been bestowed upon commoners*: L. 12. from the bottom: for *engaged* read *engrossed*. L. last: for *into* read *to*. P. 427. L. 5. from the bottom: for *care* read *case*. P. 428. L. 28. for *as* read *'tis*. P. 430. L. 19. for *absolute support* read *obstinate support*.

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This Day is Published.

NUMBER VII. (Price One Shilling) (To be Continued Monthly) of THE CONSTITUTIONAL MAGAZINE: OR, COMPLETE TREASURE OF POLITICS and LITERATURE. For October 1768. Containing a List of the Twelve Hundred and Forty-Seven Liverymen of London, the declared Enemies of General Warrants, Seizure of Papers, &c. who voted at the last General Election for JOHN WILKES Esq. Accurate Copy of a Genuine Letter to a late Governor of Virginia. Thoughts upon the present Establishment of the Navy; with a slight Retrospect on the State of it in former Reigns. Display of Spinoza's Ratiocination, from the candid Bishop Berkley. Noble Instances of Honour in some Knights of the Order of the Holy Ghost, viz. Scipio de Fiesque; Francis le Roy, Lord of Chavigny; James, Count de Crussol; and Francis Gouffier, Lord of Crevecour. An Answer to the Encomiums bestowed on M. Freret, a Free-thinking Author, by Voltaire, in his *Catalogue Raisonné des Esprits Forts*, published in our last Number. The three Letters complete, to Sir William Beauchamp Proctor; Bart. Extract from Mr. Livingston's Letter to the Bishop of L——ff &c. &c.

Printed for W. BINGLEY, opposite Durham-Yard, in the Strand, (by whom Letters directed to the Author are received) and may be had of all the Booksellers in Great Britain and Ireland; as also of the News-Carriers in Town and Country.

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A

NORTH BRITON

EXTRAORDINARY.

NUMBER LXXIV. (or XXVIII. of the CONTINUATION.)

TUESDAY, NOVEMBER 8, 1768.

Magnus ab integro Seclorum nascitur Ordo.

VIRG.

To the NORTH BRITON.

SIR,

THE following was originally intended to have been published in a pamphlet; but, upon consulting my friends, they seem to be of opinion, that it will be more generally read by appearing in your paper. I therefore hope you will give it a place as soon as convenient, and am, Sir, yours, &c.

A BRITISH FREEHOLDER.

To the FREEHOLDERS, CITIZENS, and BURGHERS of GREAT-BRITAIN.

GENTLEMEN,

PERMIT me to embrace the present opportunity of congratulating you, and the public in general, on the auspicious event of the meeting of a *new parliament*; a parliament, I hope, as different from the last as light is from darkness. You cannot have forgot, *Gentlemen*, you have, alas! but too much reason to remember, the venality and corruption of the *last parliament*, which, notwithstanding the depravity of the times, has not, I believe, had its equal in *England* since the *pensionary parliament* of king Charles II. Composed, like that, in a great measure, of placemen, they were ever ready to pay the most blind and implicit obedience to the commands of the minister for the time being; nor do I, indeed, recollect a single instance of their deviating from this odious and detestable maxim, except in their passing the *bill of indemnity* for securing the ministers against the penalties they had incurred by laying an embargo upon the shipping to prevent the exportation of corn. But it is easy to discover their motive for taking a step so different from their usual conduct. The time of a general election was now fast approaching, and they were desirous, if possible,

fible, to lay in some small stock of popularity against that critical and alarming period. But, happily for the nation, their designs were seen through, and were effectually disappointed. With a spirit of independence, which does honour to your character, you rejected, at least in many places, their applications and entreaties; and you chose, in their room, a set of gentlemen of more generous and patriotic principles. As you have, therefore, in some degree, cleared the house of Commons from these pernicious and destructive vermin, you have reason to expect, from the present parliament, a redress of those grievances, under which you and the rest of the nation have so long laboured.

A *new parliament*, as matters now stand, and as septennial parliaments still continue in being, may be considered as a kind of *new æra* in the *English constitution*: for, as no parliament is tied down by the acts of preceding ones, the lives, the liberties, and the properties of their fellow subjects are, during the space of seven years, entirely at their disposal. I shall, therefore, take the freedom of pointing out to you, by way of comfort, a few of those grievances, some of them of longer, and some of shorter standing, which you may hope to see redressed by the present parliament; and which, if they are not redressed in time, may, in the end, prove fatal to the liberties of this country. And the first grievance I shall beg leave to mention, is the great number of pensioners and placemen that are allowed to sit in the house of Commons. This, indeed, is a grievance of so dangerous and alarming a nature, that more than one act hath been made to prevent the evils that may possibly arise from it. The commissioners of the Customs, of the Excise, of the Post and Stamp-offices, and some other placemen, are thereby excluded from a seat in parliament. But though these acts may have been sufficient at the time they were made, they are by no means sufficient at present. The places under the government are daily growing more numerous and more lucrative; and, therefore, it should seem to follow, that there is a growing necessity for successive place-bills; and that, if such successive place-bills should not take effect, the constitution of England must be ruined by the very course of things, even though our ministers should never be guilty of one arbitrary or tyrannical act.

The number of members in the lower house is 558: half that number is 279. Now let us only suppose, that 280 of the members are pensioners or placemen. I then say, the freedom and independence of the lower house, and, of consequence, its real weight and importance in the legislature, are as effectually destroyed, as if they were abolished by act of parliament. It is possible, indeed, that, even in such a case, the house might still be suffered to subsist. It might still be permitted to give its assent to all bills that are passed. It might even be indulged with the now essential, but then vain, privilege of beginning money bills, as usual. But that would be all. These privileges it would enjoy in appearance, not in reality. All bills would then be projected in the cabinet council, that dangerous institution of modern days. They would be afterwards matured and properly digested in the privy council; and, being laid before the house by some creature of the court, they would be as sure of obtaining its concurrence, as the *French king's* edicts are of being registered by his parliaments.

Lord

Lord Bolingbroke says pertinently on this subject: "To destroy
 " *British liberty* with an *army of Britons*, is not a measure so sure
 " of success, as some people may believe. To *corrupt the parlia-*
 " *ment*, is a slower, but might prove a more effectual method; and
 " two or three hundred mercenaries in the two houses, if they
 " could be lifted there, would be more fatal to the *constitution*,
 " than ten times as many thousands in red and in blue out of
 " them. *Parliaments* are the true guardians of *liberty*. For this,
 " principally, they were instituted; and this is the principal article
 " of that great and noble trust, which the collective body of the
 " people of *Britain* reposes in the representative. But then no
 " slavery can be so effectually brought and fixed upon us, as *par-*
 " *liamentary slavery*. By the *corruption of parliament*, and the ab-
 " solute influence of a *king*, or his *minister*, over the *two houses*,
 " we return into that state, to deliver or secure us from which
 " *parliaments* were instituted; and are really governed by the arbi-
 " trary will of *one man*. Our whole *constitution* is at once dis-
 " solved. Many securities to *liberty* are provided; but the in-
 " tegrity, which depends on the *freedom and independency of par-*
 " *liament*, is the key-stone that keeps the whole together. If
 " this be shaken, our *constitution* totters: if it be quite removed,
 " our *constitution* falls into ruin. That noble fabric, the pride of
 " *Britain*, the envy of our neighbours, raised by the labour of so
 " many centuries, repaired at the expence of so many millions,
 " and cemented by such a profusion of blood; that noble fabric,
 " I say, which was able to resist the united efforts of so many
 " races of giants, may be demolished by a race of pygmies. The
 " integrity of *parliament* is a kind of *palladium*, a tutelary goddess,
 " who protects our state. When she is once removed, we become
 " the prey of any enemies. No *Agamemnon*, no *Achilles*, will
 " be wanted to take our city. *Thersites* himself will be sufficient
 " for such a conquest."

But however great the venality of a *placeman*, the venality of a *pensioner* is infinitely greater. A *placeman*, I can conceive, may have some principles of honour, and may sometimes prefer the interest of his country to his own private advantage; an opinion, which we have seen more than once confirmed by the conduct of some of our present *placemen*. And, indeed, as the interest of the prince and the people, if rightly understood, is the same, there may be no great harm in having some placemen in parliament: the danger only arises from too great a proportion. But a *pensioner* is a wretch, who has no sort of principle: like a common prostitute, he is ever ready to sell himself to the highest bidder; and as the minister, it is certain, can afford to bid the highest, and indeed is the only person that has any inducement to bid at all, the *pensioner* is always sure to be engaged in his service. And when thus engaged, for his *bribe* or his *pension*, he is willing to give his vote as his patron directs him.

It may not, however, be improper to observe, that there is a difference between a *bribe* and *pension*. A *bribe* is given for a particular *job*. A *pension* is a *constant and continual salary*: so that a *jobber* is only a kind of *day-labourer*, hired upon occasion, and to assist at a dead lift; whereas a *pensioner* is a domestic servant, hired by the year, and obliged to do all the dirty business of the house.

house. It must likewise be remarked, that there is something very unaccountable and preposterous in the usual ministerial method of distributing pensions. The original intention of them was, no doubt, for the maintenance of such persons as, by misfortunes, were brought to want, and put out of a capacity of supporting themselves by work or otherwise. To *these* the crown used to extend its charity; and generally proportioned the *largest* to the *necessity* or *condition* of the person, to whom it was given. But in the political manner of giving them—by strange inverted principles of charity—the pension is not suited to the *want* of the party, but given in proportion to his *abundance*; and is less or larger, according as he doth or doth not stand in need of it: for it would be an unpardonable affront to offer any person, who hath *ten thousand pounds* a year, a less pension than *two* or *three thousand*.

It is commonly reported of a *young nobleman*, towards the close of the last century, that he was wont to complain of the then lord-treasurer for allowing him too *small a pension*. “I shall let the great man know”, said he, “that I am not a *beggarly lord*; for “though my estate is not very *large* at present, it is a *growing estate*; “and therefore, if he depends on my vote on all occasions, I shall “expect either to have my pension enlarged, or to have it paid out “of the privy purse, to prevent all deductions.” But though this young nobleman might have a larger allowance than some of his brother pensioners, yet could not he be more eager and importunate in demanding the punctual payment of it. For it is well known, that the lord-treasurer *Danby* used to complain, *that he was almost plagued out of his life at the end of each session; the members, at those seasons, flocking about him for their pay, like so many jackdaws for cheese*. In what light these honourable or right honourable mercenaries may appear to others, I know not; but, for my own part, I could never consider them in any other manner than as a sort of *tall, overgrown charity-children* belonging to the court. I think they should be obliged to wear *badges*; or at least they ought to be listed with the *band of pensioners*; and stand, in decent order, on a Sunday, with their *red coats*, and *partizans* in their hands, as the king goes in procession to chapel.

How unfit these persons are, at least how unfit they were deemed to be in the reign of *king Charles the Second*, for being members of parliament, may be easily learned from the following speech delivered in the lower house, by Sir Francis Winnington about the year 1680. “The last house of Commons,” says he, “being sensible “how narrowly this nation escaped being ruined by a sort of “*monsters*, called PENSIONERS, who sate in the late *long parliament*, had entered into a consideration, how to prevent the like “from coming into future parliaments; and in order thereto resolved, that they would severely chastise some of those, who had “been guilty, and make the best laws they could to prevent the “like for the future. And for that purpose a *committee* was appointed, of which Mr. Serjeant *Gregory*, now judge *Gregory*, “was chairman; by which, many papers relating to that affair “came into his hands. Mr. Speaker, I think it a business of so “great importance, that it ought never to be forgotten, nor the “prosecution of it deferred. I have often heard, that *England* can “never be destroyed but by *itself*. To have *such parliaments*, was
“ the

“ was the most likely way that ever was invented. I remember a
“ *great lawyer* said in this house, when it was debated in the last par-
“ liament, that it was TREASON; and he gave many learned argu-
“ ments to make it out. Whether it be so or no, I will now de-
“ bate. But I think, that when they, who are the legislators of
“ the nation, take bribes to undermine the laws and government
“ of this nation, they ought to be chastised as *traytors*. It was
“ my fortune to set here a little while in the *long parliament*.
“ I did observe, that all those, who had *pensions*, and most of
“ those, who had *offices*, voted all of a side, as they were di-
“ rected by some *great officer*, as exactly as if there business in
“ this house had been to preserve their *pensions* and *offices*, and
“ not to make laws for the good of *them*, who sent them here.
“ How such persons could any way be *useful* for the support
“ of the *government*, by preserving a fair understanding between
“ the *king* and his *people*; but, on the contrary, how dangerous;
“ to bring in *arbitrary power*, I leave to every man’s judgment.
“ They were so far from being the *true representatives of the*
“ PEOPLE, that they were a distinct, middle interest between the
“ king and the people; and their chief end was to serve some
“ great minister of state, though never so opposite to the true
“ interest of the nation.” Another grievance, *Gentlemen*, which
you may expect to see redressed by the present parliament, is the
long continuance of parliaments themselves; I mean the repeal of
the *septennial*, and the restoration of the *triennial act*. That long
parliaments frequently have been, and still are a grievance, will
be denied by no one, who is in the least acquainted with the
history of England, Before the Revolution we had two long
parliaments; the former of which overturned the constitution, and
the latter had well nigh enslaved the nation. *Triennial parliaments*
were restored by *king William*, and repealed upon the accession of
the present family; and, ever since this last period, the influence
of the crown over the two houses has been growing every day
more powerful and extensive. That *septennial* parliaments were
necessary, in some measure, at the time they were established, I
will readily allow, as the nation must otherwise have been distracted
with a new election, during the existence of a dangerous rebellion.
But, sure, it was not necessary to make this act perpetual. *That*
parliament might have been continued for a few years longer; and
all subsequent ones might have remained upon the old footing, and
been only *triennial*. I have heard of many worthy gentlemen, who
repented of having been persuaded to consent to *this act*; and yet
were as zealously attached to the *present royal family*, as any per-
sons in the kingdom. It hath undoubtedly created a most pro-
digious change in our constitution; which, in time, may endanger
it; and, I wish I could not say, may possibly destroy it. If *cor-*
ruption should ever get footing in the *house of Commons*, the people
will be hard put to it to preserve their liberties, when reduced to
the necessity of struggling for them, *seven years* together, with their
own representatives. Methinks, as there is a law already in force
to *prevent bribery in the PEOPLE*, it would not be amiss to have
one enacted, to prevent it in the SENATORS, when they are chosen;
and it is not impossible, that this very *septennial bill* may, some
time or other, introduce it among them. The best way to pre-
vent

vent it would be by changing them often; in which case the *crown* could not so well find its account in *bribing* them; and the *people* would have more frequent opportunities of changing their *members*, whenever they had reason to be suspicious of their designs, or dissatisfied with their conduct.

The only objections I ever heard against triennial parliaments, are, that the frequent return of elections naturally tends to promote a spirit of licentiousness among the people; that, so far from restraining, as is by some pretended, it rather serves to encourage, the practice of bribery and corruption; that three years is too short a time to accomplish any thing of great moment for the interest and advantage of the nation; that the first session is generally spent in the determination of elections; in the second something is done; but that the last session is usually as much lost as the first; gentlemen's minds running so much on the approaching election, as to think of nothing else: and the fear, also, of disobliging their *electors*, on so near a view of a new choice, throws a great bias on their conduct in parliament, to the prejudice of the public service; so that, in this short term of *three years*, there is little more than the work of *one year* done.

But the first argument, if it proves any thing, proves too much: for the same objection might be made to *septennial parliaments*; and I dare say some people are so disgusted at the late spirit of licentiousness which prevailed in the nation, that they could heartily wish never to see another election in *England*. Nor is the second objection a whit better founded; for it would be strange, indeed, if those candidates, who purchase their seats in parliament, should give more for a *triennial*, than a *septennial one*; or if such electors, as sell their voices, should not have arithmetick enough to proportion the *prices* to the *times*, for which they chuse their representatives. As to the third objection, it is totally inconsistent with fact and experience; for 'tis well known that the affairs of this kingdom were carried on for some hundreds of years, not by *septennial*, nor even by *triennial*, but by *annual parliaments* only; and our histories for that time do not acquaint us with any complaints made of the shortness of their duration.

With regard to the time consumed in determining controverted elections, less, I apprehend, would be sufficient for that purpose, if parliaments were *triennial*; as a seat in the house being thereby rendered of shorter continuance, and of less importance, fewer arts would, of course, be employed in perplexing and confounding the rights of the *electors*. As to the last objection, it is really somewhat curious, though I have actually heard it made; and, instead of being an argument against, it is certainly one of the strongest arguments for, *triennial parliaments*, that can possibly be advanced: for if members think they may act in the house without the least regard to the interest of their constituents, *parliaments*, I am sure, ought not to be barely *triennial*; they ought even to be *annual*. The other grievances, which you may expect to see redressed, I shall take an occasion to explain to you in some subsequent letter. In the mean time, I am gentlemen, your most humble servant,

A BRITISH FREEHOLDER.

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T H E

N O R T H B R I T O N .

NUMBER LXXV. (or XXIX. of the CONTINUATION.)

To be continued every *Saturday*. Price Five-pence,
(being double the usual Quantity.)

SATURDAY, NOVEMBER 12, 1768.

*With palsy'd hand, shall Justice hold the scale,
And o'er a Judge, Court Complaisance prevail;
Satire's strong dose the malady requires,
I write—when lo! the Bench indignant fires;
Each hoary head erects its load of hair,
Their furs all bristle, and their eye-balls glare,
In rage they roar, “ With rev'rend ermine sport!
“ Seize, seize him, tipstaff!—’Tis Contempt of Court.”*

WHITEHEAD.

THE public hath already been informed that Mr. Bingley was, on *Monday* last, committed to the King's-Bench prison, for *not putting in bail to answer interrogatories, on oath.*

He would have offered, by his council, the reasons contained in the following address, or have delivered the same himself, could he have been heard, in either mode.—But he was told he came *too late*.—That the rules for the attachments having been made absolute, and attachments issued *, 'twas contrary to the *rules* and practice of the court, and that his council would not, nay could not deny it, because it was the *truth*.—Mr. Bingley wanted to make a distinction between *his* case, and that of *all others*, who had ever entered into recognizances to answer, and *had answered* interrogatories; and did not conceive the *rules*, &c. above alluded to, were, like the *eternal* and *immutable* rules of *truth* and *justice*, never to be departed from.—He supposed the

* He had been confined in Newgate ten weeks and two days, by virtue of those attachments.

rules

rules of the court might have been *dispensed* with, when a *subject* stood on his *defence* against a mode of proceeding, he conceived *illegal* and *unprecedented*.—But he was farther told, he should have offered his reasons before the rules for the attachments were made absolute.—On the first rule which issued against him as *publisher* of No. 50 of this paper, he would have shewn cause, but the court refused to hear him, on the *ipse dixit* of his then attorney, that the *defence* he wanted to offer, was not *fit* to be heard in that court.

That refusal, induced him to think it was unnecessary to attempt to shew cause against the rule that issued on the publication of No. 51.

Being afterwards bailed, on the attachments, and at liberty to consult *other* persons, on his unhappy situation, he was advised to *try*, whether the court would *indulge* him with a hearing, either by himself, or council, when called upon to put in bail to answer interrogatories, provided he did not attempt to offer any thing, which might give the court fresh cause of displeasure against him.

But he could *not* obtain that *indulgence*. He was told, when he had complied with what was customary, *i. e.* the putting in bail, for the *purpose* mentioned before, he might by his council be heard against any *particular* interrogatories; but his *objection* was, to the answering of *any* interrogatories whatever.

The reasons for such objection, are contained in the following *address*, which he submits to the opinion of the *impartial public*, intending to pursue the hint thrown out by one of the judges, and make an application to PARLIAMENT for relief.

MY LORDS,

Prayer to be heard.

I Beg leave to be heard, not to give offence to this honourable court, but, as standing here charged with a contempt, to defend myself, with all that deference to the laws of my country, and to this high court of criminal jurisdiction, with which every subject ought to demean himself; and yet with that becoming spirit, and resolution, which, on an occasion like this, ought to be exerted by every Englishman.

Right of defence.

I most humbly conceive, that as I am charged with a criminal accusation, the laws permit me to defend myself, and that this honourable court will not condemn me unheard.

I would

I would first, my Lords, consider the *offence* with which I am charged, and then offer to your lordships what I have to say in my *defence*, on the *present* occasion. — I mean, my Lords, only so far as relates to the entering into a recognizance, to answer interrogatories.

Division of subject.

With respect to the *offence*, I conceive there is a very essential difference between an act which may be called a contempt, being committed in the *face* of a court of justice, and an act committed not only *out* of court, at a distance from it, but even at a time when the court was not sitting.

As to OFFENCE

Conf. in or out of court.

I shall not here, or on *this* occasion, attempt to say, whether the papers, for which I have been called before this court, are, or are not defensible. — I would, however, observe, that the first is addressed to, and only concerns, *one* of the judges of this honourable court; that I am only charged, in fact, as the mere *vender*, or *seller* of both the papers, in the *course of my trade*; and that the publication *implied* by law, was not in the *face* of this court, but in my own shop in the Strand. — Had I been guilty of a contempt, in the *presence* of the court, I am informed, I might have been *legally* committed, at the time of offending; but committed, my Lords, in execution, as for *punishment*, by virtue of that power which is inherent in every court of judicature; necessarily inherent; as otherwise there would be a failure in the administration of justice.

Address of No. 50.

Sale.

Power of courts on contempt in face of same.

But supposing any offence to have been committed, *out* of court, granting that it related to the court, and that the second paper comes within that predicament, I say, my Lords, *such* an offence, committed by one, not an *officer* or *minister* of this court, or concerned in the *execution* of its *process*; not an inferior judge, engaged in administering *justice* to the king's subjects; not a person who had voluntarily entered into a *rule*, to abide the orders and directions of the court; but, by a *tradesman*, independent of, and unconnected with the court, (otherwise than as a member of the state, subject to the laws) I humbly conceive, I am not responsible to this, or any other court, in the *present mode* of proceeding — Vide *Cro. Eliz.* 689. *Dean's case*.

Defendant is not responsible in this manner.

With respect to my *defence* on the present occasion, it is founded on the well known maxim of *our laws*, "that no man is bound to accuse himself." And consequently if I, as *vender* of No. 50 of the *North Briton*, and of No. 51, which is founded on the former, am, as *such*, guilty of any offence against the laws of my country, I ought to be tried by

DEFENCE.

Maxim.

Trials by jury.
Judges taken
from the body of
the people.

by a *jury*; *id est*, by certain persons, my peers and equals, drawn from the body of the people, according to that mode or manner prescribed by law, and who form a tribunal, which continues no longer than necessity requires.—For as *Montesquieu* observes, it is in this manner, the power of *judging*, so terrible among men, not being fixed to any certain state, nor to any certain profession, becomes, as we may say, invisible and null. We have not the judges continually before our eyes: and we fear the *magistracy*, not the *magistrate*.

Negative argu-
ment.

No precedent.

In support, my Lords, of the position, that I ought not to be compelled to answer interrogatories, but to be tried by my country, I conceive a *negative* argument may, in this case, be of use: I mean, that there is not a *single precedent*, in a case similar to mine, according to the best inquiries those who advise me have been able to make.—And I hope this court will not *make* one, on the present occasion.

Origin of inter-
rogatories in the
Star-Chamber.

I am told that the court of STAR-CHAMBER did *not* examine on interrogatories, 'till the Stat. of 3. *Hen. VII. cap. 1.* gave a *kind of power*, to that high court of criminal jurisdiction, so to do. And my lord *Coke* in his 4th Inst. p. 63. says, this act was introductory of a *new law*.—That this *ancient* court, proceeding in criminal cases, *had not* a power of examining upon interrogatories, *nor could have*, but by ACT OF PARLIAMENT OR PRESCRIPTION.

Query, If that
court was not in
such cases supe-
rior to B. R.?

And I humbly submit to your lordships, if that court was not, previous to the statute in question, *superior* in power, in such cases, to this honourable court: and whether any ACT OF PARLIAMENT prior, or subsequent to the above, gave such a power to this court? If this court prescribes for such a power, antecedent to that act, or even previous to the abolishing of the Star-Chamber? And if its only from the abolition of the Star-Chamber, in the 16th year of CHARLES I. or in fact, if it doth not prescribe from time immemorial; then, whether such prescription, being of so *late* a date, is, according to the laws, sufficient?

MAGNA CHARTA, 9 H. III. c. 29. is express, by the judgment of a man's peers, *or by the law of the land*: the latter only refers to such cases which are not triable, *per judicium parium*. * Besides, to make it the *lex terræ*, † there must be antient and *continual* usage: and 22d *Edw. III. Numb. 30.* shews, that no *new* practice can make a law: *Shower's cases in parliament*, 124.

* By the judgment of a man's peers, or equals. † The law of the land.
And

And I humbly conceive, there is not a single, *ancient* precedent, in a case any ways similar to mine.

In the 25th of *Edw. III.* the power of the king and council, I am told, was very great, and might, in some sense, be called *supreme*.—This honourable court, hath only a derivative, delegated power,—yet the statute made in that year, controuls the power of the former, and directs an *indictment*, or *presentment*, and the 42d of *Edw. III.* is to the same purport.

Power of king
and council con-
trouled by Stat.

Indictment and
presentment di-
rected.

And as to the power of the *Star-Chamber* (when it did exist) to examine on interrogatories, I would beg leave to remind your lordships, of the order made by the house of Lords, on *Lilburne's* case; whereby the sentence passed on that unhappy man, by that oppressive court, was directed to be forthwith *for ever* TOTALLY VACATED, OBLITERATED, and *taken off the file*, in all courts where it was then remaining, as ILLEGAL, and MOST UNJUST; against the *Liberty* of the SUBJECT, the LAW of the LAND, and MAGNA CHARTA, and *unfit* to continue upon record, &c. I need not observe the sentence passed on LILBURN, was, for *refusing to take an oath, to answer interrogatories, saying, 'twas an oath, ex officio, and that no free-born Englishman ought to take it, not being bound by the law to accuse himself*; nor need I observe, that the house of Lords, in thus reversing the sentence, thought HIS *defence, or refusal*, JUST, LEGAL and CONSTITUTIONAL.

Lilburn's case.

There are a variety of cases in the books, relative to libels on courts of judicature, and judges; where not any attachment was ever granted: such is the case of the *Court-Martial*, and lord chief justice *Willes*.—A striking instance! for in that case, the foulest and most daring aspersions were cast on the *Chief Justice*.—He accepted a submission.

Cases where no
attachment.

The case of *Jeffs*, who was indicted for a libel against lord chief justice *Coke*, *Cro. Car. 175. pl. 21.*

*Pass. 5 Car. II.
B. R.*

The case of *Norton* and others, and *Ashley*, serjeant, for a libel against lord keeper *Coventry*. *Star-Chamber Rep. 30.*

*Mich. 6 Car. I.
Star-Chamber.*

The case of *Hanson*, (called in *Cro. Car. Harrison*) accusing lord chief justice *Hutton* openly, in the face of the court, with *high treason*, whilst the *Common Pleas*, and the other courts, were sitting.—He was indicted, *vide Hutton*, 131. *Cro. Car. 503. pl. 5.*

*Ch. J. Hutton's
case.*

Dr. Brown's
case.

The case of Dr. *Brown*, against whom there was an *information* in this court, for a libel on lord keeper *Coxeter*, 11 *Mod.* 86. *pl.* 5.

J. de Northamp-
ton's case.

And I may add, the ancient case of *John De Northampton*, an *attorney* of this honourable court, for writing to one of the king's privy council, a libellous charge against the *whole* court: he was committed, but 'twas in *execution*, not to answer on interrogatories.—Vide 3 *Inst.* 174. *cap.* 76. There the court accepted his *Confession*.

Query, What
end can this
mode of proceed-
ing answer?

As I conceive there is not any precedent already made, I would desire leave to ask, with due submission, what end it can answer to make one? Or, suppose a precedent, what end can be answered, by an examination of me on interrogatories, which may not be obtained in a *legal* way, on trial by jury?

What questions
to be asked?
There is proof
of selling.

I now stand charged with the *publication* of two *libels*: that is, with having *sold* the North Britons, No. 50 and 51. On an examination by interrogatories, can any other question, with propriety, be asked me? If not, then, with submission, such examination is *nugatory*.—If any other question may be asked me, then *many* may be put; and those, perhaps, the most artful, and the most ensnaring: I may be asked a variety of questions, tending to discover the author.

Suppose B. the
author, is he to
accuse himself?

Supposing that I was the author, am I bound, by any law of this country, to accuse myself? No.—It would be contrary to a very ancient and fundamental maxim of those laws.—Did I now stand before your Lordships on a *legal* trial, by a jury of my country, even for *high treason*, you would not permit me to accuse myself. No.—Your Lordships would consider yourselves as my council, and prevent me from doing an act, that tended to my own destruction:—Because, the law supposes every man innocent, 'till he is found guilty; and the judges are *sworn* to *maintain the laws*.

In treason, a de-
fendant hath co-
py of indictment
and council as-
signed.

Farther, even on such an indictment, for that crime, the highest of any known in a state, I should be in a better situation as to *defence*.—I should be intitled to have a *copy* of the charge *alleged* against me, and to have council assigned me by this honourable court, by virtue of the Statute of 7th *William III.* *cap.* 3. So that *every means* of *defence* would then be allowed me; and on judgment, I might move in *arrest*, or bring my writ of *error*.—Now, every means of ensnaring me, without a possibility of defending myself, may be made use of.—Interrogatories settled at leisure,

sure, and with deliberation, by able council, with questions of every kind, in the most artful manner; and thus prepared, tendered to me to answer on *oath*; at *my peril*; without any copy; without even a previous sight; unassisted by council; or any other person whatever.

If such a procedure is not to make me an evidence against myself, contrary to the known laws and constitution of this *free* country, I am greatly deceived in the idea I have formed of my *safety*, as a subject of *this* state.—But 'tis said, even a *witness* (who is legally before a court) shall not be asked any question to accuse *himself*, nor shall a *wife* accuse her *husband*.—*Vide 3 Inst.* 108. *Comb.* 391. *Bracy's case*, 2 *Hawk.* 433. *lib. ii. c. 46. §. 20.*—Much less then shall any man be compelled to become a self-accuser.

To make B.
evidence against
himself.

The *Mirror*, c. 5. §. 1. mentions, that the great ALFRED punished one of his justices with *death*, for passing sentence upon an extorted confession, by *torture*, before the coroner: and I humbly submit to your Lordships, that *duress* * is a torture; and that if I am committed for not answering, until I do answer, and should afterwards submit to answer, it will be a confession *extorted* by *torture*. I need not quote the 3d *Institute*, fol. 35, or any other authority, to prove, that no torture, whatever, is allowed by the laws of this country. I do not mean, my Lords, to offend by any the least insinuation; I only take the liberty of asserting what I am advised is *law*.

Mirror.
Alfred, justice,
torture.

If a defendant will *plead*, the law says, he shall not be interrogated, even on oath; which is a kind of torture to the conscience.

If a defendant
pleads, not to be
interrogated.
Ellis on Tem-
poral Liberty,
fol. 28.

I am ready to plead, my Lords, for I require a trial by my country.

Ready to plead.

I may be asked by interrogatories, *quo animo* † I sold the papers—for vending, I am informed, is only a publication by *implication of law*. This would be again, perhaps, to accuse myself: it's a leading question, and tho' it might not be asked in such manner as to intitle me to demur ‡ to it, yet questions tending to that point may be asked; and which, should I not answer, the Master, or the Court, may be of opinion I ought to have answered; and I may be adjudged in contempt: for I am ill qualified to distinguish between the questions, or to take exceptions to such, as it might be improper for me to answer.

Interrogatories
may enquire *quo*
animo, or other
leading ques-
tions.

* Imprisonment.

† With what intent.

‡ Object to answering.

Guilt,

Guilt not to be presumed. Malicious intent—to be tried per jury.

Not the party.

Q. If any error.

Statutes concerning amendments.

Has legislature authorised or overlooked this mode of proceeding?

Q. If dernier resort? And if they whom he has offended are to judge him.

4 Inst. 41.

Lordships justice and humanity not called in question, but dangerous precedent.

Guilt, my Lords, is not to be presumed from the act of the party, until that act be proved *malicious*, (in the legal sense of the word) for the law of *England*, is a law of *mercy*, and presumes every one innocent, till he is found guilty, and that by a jury of his peers; according to a maxim in law, that, “The act does not make the crime, unless the mind “is guilty *.” And that the *intent* constitutes the crime, is evident in the case of *murder*, on a trial for which horrid crime, a man is not bound to *accuse himself*, and a jury are the proper persons to judge of the *intent*.—They are therefore to determine, *quo animo*, I published those papers:—not the *party* against whom such papers were published; for this court, with all due submission, cannot exercise the very distinct and peculiar provinces of party, accuser, evidence, jury, and judge;—more especially in the *last resort*, as I apprehend this to be, in the present mode; for suppose the proceedings erroneous in law, what relief could I obtain? Can I bring a writ of error? This being a *bye* business of the court, for which the law has not prescribed any peculiar form; and hath not the law been very favourable, in *criminal matters*? Have not the several statutes for *amendments*, such as 4 Hen. VI. c. 3. 8 H. VI. c. 15. 5 Geo. I. c. 13. expressly provided, that the power of amending, shall not extend to records, or process, whereby any person shall be *outlawed*; to processes and records of *outlawries* of *felonies* and *treasons*; nor to any process upon any *indictment*, *presentment* or *information*; and shall it be said that the legislature, thus careful of the life and liberty of the subject, should extend its care to common, legal, and constitutional proceedings; and overlook judgments passed by the courts of law, on such *peculiar proceedings* as those in question; leaving a discretionary power to the judges, of which, in all ages, it hath been very cautious? Or rather doth it not imply, that the legislature never authorised, or considered such a power as ever delegated, nor ever supposed any such existed in this country? Am I, therefore, my Lords, without redress? without appeal? And is this my dernier resort? I have given offence to your Lordships. I am called before your Lordships to answer.—I am to accuse myself. I am then to come before your Lordships, whom I have *offended*, for judgment, on a *criminal accusation*, and where *I have no challenge*.

I do not call the *justice* or *humanity* of your Lordships in question; but, should this be suffered, it may establish a very *dangerous precedent*, for future ages.

* 3 Inst. 107.

The law of England faith, interest, affection or *prejudice*, is a good cause of challenge; and that it is the subject's birthright. Vide *Co. Lit.* § 234. Challenge.

I do not presume to charge your Lordships with either; but permit me to observe, I am called here to answer for a supposed contempt to *this* court.—For that is the charge.—And this court, the *party* supposed to be injured, is to be my *judge*.—For it is this court which is to try the question, and to pass sentence on me, for my contumacy.—A farther observation as to this point, is unnecessary. Doth not charge judges with causes of challenge, but &c.

Your Lordships are the mouths of the law, and fit here to administer justice, and to do equal law and execution of right, to all the king's subjects, rich and poor, without having regard to *any* person, and to deny to *no* man, *common right*. Office and oath of a judge.
18 E. III. stat. 4.

If any one of the judges is publicly charged with having, through inattention, or otherwise, done any act, not warranted by law, he may in a legal and constitutional manner exculpate himself, and punish the libeller or publisher, if the charge be *false*; but let the *truth* or *falseity* of it be tried by a JURY, whom the books say are judges, and the proper judges of the *law*, as well as of the fact.—Vide *Sho. Parl. Ca.* 123. *Lit.* 368.—*Hale's History of the Law* 140, and *Security of Englishmen's Lives* *. fo. 9, 10. If judge does any thing, &c. and is charged.

But let not the judge charged, be himself also the judge to determine the charge *false*; to declare the law, against the offender; and to *punish* him for his offence.—If a jury give a false verdict, I have my remedy by *attaint* †.—Should your Lordships err, I have no remedy. *Lutwiche* 1561. Judge charged not to determine on truth or falsehood of that charge.

By MAGNA CHARTA, the great security of our lives, liberties, and property, all proceedings should be *by lawful judgment* of our peers or equals, and by the *law* of the *land*; not at the discretion of any one.—And I most humbly insist, it's not for the interest of your Lordships, or your posterity, that too great a power should be delegated to any judges whatever; or, that they should assume a particle, not legally and constitutionally delegated; as the *Roman* history, that of *France*, and other great states, sufficiently shew, by *woeful* example, the abuses that have been made of such power; for though your Lordships may not abuse it, subsequent judges may, to the great injury of the state.—But all powers Magna Charta trials *per pares*.
Judges assuming too great a power.

* Supposed to have been written by lord Somers.

† It hath been said to be a mere sound. But Query?

* * *

and

All powers, &c.
circumscribed.
Sho. Parl. Ca.
121.

and privileges, in this kingdom, even the *highest*, are circumscribed by the law, and have their limits.

Trials by jury,
our protection.

As to trial by jury, *Rapin* well observes, it is one of the *most considerable privileges* which a nation can enjoy.—It is a protection for the *lower order* of people against the *violence* of the *great*, and even the *passion*, or *caprice* of the *sovereign* himself.

Tom. I. p. 516.

Judges of K. B.
formerly called
on by house of
Lords,

As the judges of this honourable court, in the beginning of the reign of king *William III*, when called upon in an *extra-judicial* manner, by the *house* of LORDS, to answer to a petition preferred to that *supreme court of judicature*, by the *dutcheffs* of *Grafton* and another, insisted on the benefit of the statutes made for securing the liberty of the subject, and held themselves obliged to insist on the right they had, as members of the body of the commons of England, to defend themselves, upon any trial to be brought against them, for any thing done contrary to their duty, *according to the due course of the common law*, so do I, as a *member* of the *Commons of England*, hold myself obliged to insist upon the like right.

Sho. Parl. Ca.
117.

Observation of
those judges.

The judges, in the case I have mentioned, observed, that they should lose the benefit of that *legal trial by a jury* of their *peers*, which was their fence and protection against *power*, *art* or *surprize*; the best for *indifference*, and discovery of truth. That the institution of the law was cautious and wise in its provision for both: that *challenges* were admitted below: that it was derogatory to the honour of that court, to suppose it necessary *there*; but to have it in *Westminster-Hall*, was, however, reckoned a *commoner's privilege and birthright*: that there the law was determined by *one*, and the *fact* ascertained by another: but above, both were in the *same hands*.---*Sho. Parl. Ca.* 123. 4. (I need not observe, that I have before quoted authorities, to shew, that *juries* are judges of *law*, as well as of *fact*.)

This charge in
nature of an ori-
ginal suit.

I humbly conceive it may with propriety be said, that the charge against me, is in the nature of an *original suit*, or prosecution, charging me with acting *contrary to law*; and therefore, that it is a matter, by the *common law*, and justice of the land, to be tried by a *jury*.—Either I am punishable, or not. If not, I ought to be dismissed.—If I am, it is either by the *common* or the *statute-law*.---But, with submission, neither warrants *this* mode of proceeding: the old law is that, which past ages have approved; that by which justice is to be administered, and whatever is done by way of judgment, in a *different manner* than the law allows, is against that law.—*Sho. Parl. Ca.* 122.

As

As I have, therefore, either been guilty of a breach of some law, or am innocent, I hope your Lordships will permit the question to be tried by a jury: for why should an *extraordinary*, and a *very severe proceeding* be allowed, on the breach of one law, more than of another?

B. hath, or hath not been guilty of a breach of some law,—to be tried by a jury. Extraordinary proceedings unnecessary.

It is necessary that *punishments* should *vary*,---the *modes* of *trial* ought to be the *same*.---Our law knows nothing of *extraordinary* methods to redress a mischief, but on defect of ordinary ones, recourse is to be had to the legislature, and to that only; either to explain and correct, in reference to things past, or to provide remedies for the future.---Vide the arguments of the judges.---*Sho. Parl. Ca.* 122.

As to punishments, and trials.

The common law of the land, and the common trial by jury, are, in this case, sufficient: and supposing it was not thus, it would only argue an imperfection in the law, proper for the notice of the legislature; but would not, I humbly conceive, justify a method of proceeding, which may certainly, without offence, be said to trench upon the LIBERTY of the PRESS, nay, upon the LIBERTY of every SUBJECT of the state; and manifestly tends (in matters of this kind) to destroy all trials by jury, the proper persons to try the *fact*, who are subject to an attain^t*, if their verdict contradict the evidence.

Trial by jury sufficient.

This mode of proceeding trenches on our liberties, &c.

By the statute of 25 *Ed. III.* c. 4, it is enacted, “ That “ from thenceforth, none shall be taken by petition or suggestion to the *king*, or his council,” (which I have before observed was then very *powerful*) “ unless by *indictment* or “ *presentment*, of good and lawful people, of the *neighbourhood* in *due* manner, or by *process*, by writ *original*, at common law.”

25 Ed. III. c. 4.

By 28 *Ed. III.* c. 3, it is expressly provided, “ That no “ man shall be put out of his lands and tenements, nor *imprisoned*, nor disinherited, but by *due* process of law;” and, by 42 *Ed. III.* c. 3, it is enacted, “ That no man shall be “ *put to answer*, without *presentment* before justices, or matter of record, or by *due process*, and *original writ*, according to the *old* law of the land.” And as observed in the argument of the judges, “ By writ, or *due course of law*,” are taken for the same thing.---*Sho. Parl. Ca.* 124.

28 Ed. III. c. 3.

42 Ed. III. c. 3.

The judges, in the case beforementioned, insisted that the *king* or his *council*, or even the *parliament*, could not

* Vide Note, fo. 457.

summons persons *to answer*, in subversion of the laws; therefore, if so *high powers* could not summons, and if the present proceeding is *not* according to law, surely this court cannot proceed, in any such manner, in the present case.

Can't plead this
in bar.

I would trouble your Lordships with another observation, *viz.* supposing I am examined, reported in contempt, and punished: I humbly conceive I cannot offer the same in *bar*, to any proceedings in the house of lords, nor be by this means saved from the trouble of answering to an *indictment*, or *information*, for the same thing? If not—then the law permits the subject to be *twice punished*, for one and the *same identical* offence.

According to
these statutes,
this mode of pro-
ceeding, illegal.

I do therefore, my Lords, on the whole, most humbly submit to this honourable court, that, according to the laws and statutes of the realm, and more particularly those I have quoted, the mode of proceeding, by *attachment* and *interrogatories*, particularly in a case of *this* kind, is not a due process, by original writ, or any such process, as is warranted by those statutes, or by the common law: that it is in the nature of an *original cause* or prosecution, for a supposed breach of some law, which is only examinable and triable by the course of the *common law*, and cannot be so in any other manner: that it is, in the example of it, dangerous to the *liberty* of the *press*, to the *rights* and *liberties* of the subject, and tends to the subversion of all trials, by *jury*, in cases of this kind: that the exercise of a similar power has been discountenanced by the house of lords; that the present mode of proceeding is, in such cases, new and unheard of; that no good end can be answered by it; that the same ends may be obtained on trial by jury; that it tends to make me accuse myself, contrary to a fundamental maxim in law; that it is a mode of proceeding, from which, if erroneous, I cannot be relieved by writ of error; and being ready to take my trial, by a jury of my country; *therefore*, for these several reasons, as the honourable judges in the case I last referred to, craved, so do I crave the benefit of defending myself, touching the matter complained of, by the *due* and *known course* of the *common law*; and to rely on the statutes recited, and the common right I have, of a *free-born Englishman*, in bar of the present complaint, and of any further proceeding, in this mode, and humbly pray to be dismissed from the same.

Desires trial by
jury.

And to be dis-
missed.

W. BINGLEY.

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T H E

N O R T H B R I T O N .

NUMBER LXXVI. (or XXX. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

SATURDAY, NOVEMBER 19, 1768.

Quo magis Socordiam eorum inridere libet, qui præsenti potentiâ credunt extingui posse etiam sequentis ævi memoriam. Nam contra, punitis ingeniis, gliscit auctoritas. Neque aliud externi Reges, aut qui eadem Sævitiâ usi sunt, nisi dedecus sibi, atque illis gloriam peperere.

TACIT.

WHEN the galled jade begins to wince, you may safely conclude, that she is extremely sore. When the courtiers exclaim against the *liberty of the press*, it is a proof that their conduct will not bear examination. No sooner was the continuation of this paper begun, than the whole pack of ministerial hirelings opened their throats against it. What! shall an anonymous and desperate scribbler presume to arraign the conduct of the ministry? Shall he accuse them of embezzling the treasure, sacrificing the interest, and betraying the honour of the nation? Shall he represent them as a parcel of *puppets*, played by the hand of the grand *wire-master*, who obliges them to put on whatever shapes, and pursue whatever measures he pleases? who to-day makes them enact a law, and to-morrow makes them repeal it; on the third makes them enact it again; and on the fourth, perhaps, will make them repeal it a second time. Shall he traduce them as a band of ———, who now invade the estate of a single subject, and anon the property of a rich trading company? Or shall he exhibit them as a set of ———, who employ a party of military cut-throats to massacre their innocent and defenceless fellow-subjects? And shall he be permitted to take all these liberties, without drawing upon him the vengeance of those he attacks, without feeling the weight of the secular arm?

That vengeance, however, he has now drawn upon him; that weight, at last, he now severely feels: at least, his *bookseller* is feeling it for him: though he must own, the blow has come from a quarter, from which he least expected it; and from a quarter, too, he will venture to say, which, if not properly secured, and even blocked up, may prove fatal, first, to the *liberty of the press*, and,

in

in the end, perhaps, to the liberties of the nation. For let us only suppose, what, as matters now stand, is far from being impossible, or even improbable, that any set of judges were invested with an arbitrary and discretionary power of construing, and punishing, as a libel against themselves, whatever may be displeasing to them or to the court, and that this set of judges should become the general bullies and drawansfers of the ministry; in that case, the liberty of the press would be as effectually destroyed, as if it were abolished by an act of the legislature. It will be in vain for an author to alledge, in his defence, that he meant no reflection on the judges or the ministry. The answer is still ready: the judges are the only proper persons to decide of his intention: they at once supply the place of party, accuser, evidence, jury, and judge; and he must submit to the sentence which they pronounce upon him. I do not say, and, indeed, I do not believe, that we are in any danger of seeing such a gross perversion of the law under our present excellent judges, who are known to be as independent of the court in every other respect, as they are with regard to the enjoyment of their places. But we all know, what prostitute judges have disgraced the bench in former times; and it is, therefore, our duty to take particular care, that, if ever any such should again disgrace it, they may be deprived of the power of thus perverting the law to serve the purposes of a tyrannical ministry.

It is insinuated, I confess, by some ill-natured people, that this is the very case of my unhappy publisher; and that the punishment he has already suffered, is now suffering, and may still have to suffer, proceeds not so much from the two numbers, which have been denominated libels, as from the general spirit and tendency of the paper, which has excited, in the highest degree, the indignation of the ministry: and they refer us, for proof, to two numbers in particular, viz. the numbers 48 and 49, or the 2d and 3d of the Continuation, which contain such reflections upon the massacre in St. George's Fields, as will never, they say, be forgiven by the authors of that tragedy. But these insinuations, I am fully convinced, are absolutely groundless; for I cannot, by any means, allow myself to think, that any judges of the present age, and least of all the venerable judges who have taken exceptions to the two papers in question, would so far debase the dignity of their character, as to be instruments of vengeance to any wicked minister.

But, whatever may be the danger attending the prosecution of this work, the reader may be assured, that it shall be continued to be carried on with the usual spirit and vigour; nor shall any consideration induce me to give up, what I regard as the unalienable right of every Englishman; I mean the privilege of speaking my sentiments freely of every public measure. The liberty of the press has ever been justly esteemed the grand bulwark of our free constitution: destroy that, and the whole fabrick falls, at once, to the ground. And, in fact, we shall find, if we consult the English history, that the liberty of the press, and all our other liberties, have commonly flourished or declined together.

In the arbitrary reign of king Charles the First, the press was kept under the most severe restraint by the infamous court of Star-Chamber, the judges of which inflicted the most cruel and sanguinary,

ary punishments upon authors, printers, and publishers; witness, among others that might easily be mentioned, the cases of *Lilburn*, *Prynne*, *Bastwick*, and *Burton*: and it may be affirmed, with the strictest regard to truth, that these illegal punishments contributed, as much as any thing, to raise in the nation that spirit of discontent which gave occasion to the civil war, and all the evils that attended it.

This court, indeed, was formally abolished in 1641; and in the bill, which was passed for this purpose, it is expressly declared, that, “Forasmuch as the proceedings, censures and decrees of the court of *Star-Chamber* have, by experience, been found to be an intolerable burthen to the subject, and the means to introduce an arbitrary power and government; it is hereby enacted, for preventing the like for the future. 1. That the said court of *Star-Chamber*, and all jurisdiction, power and authority belonging unto, or exercised in the same court, or by any of the judges, officers or ministers thereof, be clearly and absolutely dissolved, taken away, and determined; and that from henceforth no court, council, or place of judicature, shall be erected, ordained, constituted or appointed within the realm of *England* or dominion of *Wales*, which shall have, use, or exercise the same or the like jurisdiction, as is, or hath been, used, practised, or exercised in the said court of *Star-Chamber*. 2. It is also provided and enacted, that if any person shall hereafter be committed, or restrained of his liberty, or suffer imprisonment, by the order or decree of any such court of *Star-Chamber*, or other court aforesaid, now, or at any time hereafter, having, or pretending to have, the same, or the like jurisdiction, power or authority, to commit or imprison as aforesaid; or by command or warrant of the king’s majesty, his heirs or successors, in their own person, or by the command, or warrant of the council-board, or of any of the lords or others of his majesty’s privy-council; that, in every such case, the person so committed, restrained, or imprisoned, shall, upon motion made by his council to the judges of the *King’s-Bench*, or *Common Pleas*, immediately have a writ of *habeas corpus* granted him; and if any thing should be otherwise willfully done, or omitted to be done, by any judge, justice, officer, or other person, contrary to the direction and true meaning hereof, the party grieved shall recover treble damages.”

This act, I think, may be fairly denominated the foundation and ground-work of the *liberty of the press*, inasmuch as it was designed to abolish a court which had exercised its power, in so grievous a manner, to punishment of writers, and threatened the extinction of all learning, as well as of liberty. *Cromwell*, however arbitrary in other respects, yet never thought of reviving the *Star-Chamber*, or of establishing any court of the like jurisdiction; and hence it was, that his measures were often severely attacked by the writers of the age, particularly by *Lilburn*, who was tried and acquitted for this very offence. But such was the despotic and tyrannical disposition of all the princes of the *Stuart-line*, that they could never endure the *liberty of the press*; and accordingly, on the restoration of king *Charles the Second*, a *licensing act* was immediately passed, which invalidated, in a great measure, the act that had been made for abolishing the *Star-Chamber*, at least so far as it related to writers.

The

The several clauses of this *licensing act* are too numerous to be here distinctly specified. It may be only proper to observe, that, in consequence of it, no book or pamphlet could legally be printed without being submitted to the inspection of certain examiners, and obtaining a licence, if on *Law*, from the *Lord Chancellor* or *Lord Keeper*, the *Lord Chief Justices* and the *Lord Chief Baron*; if on *History* or *Politics*, from one of the *principal Secretaries of State*; if on *Heraldry*, from the *Earl Marshal*; and if on *Divinity*, *Physic*, *Philosophy*, or any other art or science, from the *Archbishop of Canterbury* or the *Bishop of London*. The number of *master printers* in *England*, exclusive of the king's *printers*, and the *printers* of the *universities*, was restricted to twenty; the number of *master letter-founders* to four. The number of apprentices was likewise limited; and in order, if possible, to prevent the practice of secret printing, the licensed *printers* and *letter founders* were obliged, under a severe penalty, to find constant employment for all the journeymen in either of these professions. By the same act a power was given to one or more of his majesty's *messengers*, by warrant under his *sign manual*, or under the hands of one of his *principal secretaries of state*, to search all houses and shops, where they knew, or had reason to suspect, that any unlicensed books or papers were printed, bound, or stitched; and to carry them and the offenders before a justice of peace, in order to be dealt with according to law. By the way, this seems to be a tacit acknowledgment, that *messengers* and *secretaries of state* had not formerly any such authority by the *common law*; and if they had none formerly, and as the licensing act has been long since expired, it may reasonably be doubted, whether as yet they have such a power by virtue of any statute that is now in force. It must, indeed, be confessed, that the *licensing act* did not restore the whole power of the *Star-Chamber*; but it certainly restored the most oppressive parts of it: and where these were insufficient to answer the arbitrary designs of the court, the ministry found means to supply the defect, by instituting the same or the like method of prosecution in the court of *King's-Bench* by information and attachment; and thus revived one of the heaviest grievances, that ever the nation groaned under; a grievance, it is well known, of which the people had long and loudly complained; and I must add, (and I add with sorrow) a grievance, which, if some late proceedings can be warranted by law, may still be said to subsist in its full vigour.

This intolerable grievance was carried to so great a height towards the latter end of king Charles the Second's reign, that the House of Commons took the proceedings of the judges in Westminster-hall into consideration, and voted an impeachment against Sir William Scroggs, chief justice of the court of *King's Bench*, Sir Thomas Jones, one of the justices of the same court, and Sir Richard Weston, one of the barons of the court of Exchequer, for divers arbitrary and illegal practices, under the form and colour of law; particularly for suppressing the publication of a book, entitled, *The Weekly Packet of Advice from Rome*, by a rule of court; for imposing grievous and partial fines upon offenders; for refusing sufficient bail in several cases, which were bailable by law; and for authorizing one Robert Stephens, called a messenger of the press, to molest several printers and booksellers in the exercise of their trade, by virtue of illegal and arbitrary warrants: but while the Com-

mons were employed in preparing the impeachment, the king thought proper to dissolve the parliament, and thus put an end to any further proceedings on the subject.

This scandalous expedient served the turn for the time, by screening the judges from the storm that hung over them, but by diminishing their fears, it increased their presumption: and thus they continued, as well during that as the succeeding reign, to proceed from one act of injustice to another, till at last they raised such a general spirit of disaffection in the nation, as ended in the happy and glorious *Revolution*. For, as Sir *John Hawles*, afterwards solicitor-general, very justly observes, the success of the *Revolution* was chiefly owing to these six heads of grievances, viz. *exorbitant fines; cruel and illegal prosecutions; outrageous damages; seizing the charters; dispensing with the test and penal laws; and arbitrary proceedings in criminal matters.*

As the *licensing-act*, therefore, was so great a grievance, as it laid so severe a restraint upon the *liberty of the press*, and was, of consequence, so dangerous to the other liberties of the nation, it is really somewhat surprizing, that it was not abolished at the time of the *Revolution*. But this is one of the many omissions, which have been always lamented in the *bill of rights*; and if the *licensing-act* had been made *perpetual* in either of the preceding reigns, instead of being continued successively, it is more than probable, that we should never have got rid of that *badge of slavery*: for I do not recollect, that any attempts were made to repeal it, till it expired of course in the year 1695, that is seven years after the *Revolution*; and even then it was not suffered to expire without great difficulty, and till after a violent struggle between the *two houses*. The *House of Lords* passed an act to revive it, and sent it down to the *Commons*. The *court party* was very unwilling to lose so great a power, and at last it became the subject of a conference between the *Lords* and the *Commons*; at which the *latter* gave so many and such convincing arguments against reviving so mischievous an act, that the *former* thought proper to desist from their project.

Nor is it in *England* only that the *liberty of the press* hath been thus always highly valued, and considered as the firmest barrier against tyranny and oppression: the case hath been the same in all free governments that ever existed. In *Rome*, especially, during the time of the republic, the people enjoyed the utmost *liberty of speaking and of writing*; and, indeed, while they possessed the whole, or at least the greatest share, of the legislative authority, it would have been the height of madness to attempt to deprive them of it. But no sooner was the freedom of their constitution destroyed, than the *liberty of the press* shared the same fate. And *Augustus* first, and *Tiberius* and *Nero* afterwards, extended the laws of high treason to such a degree, that almost every offence, even the slightest and most venial, were brought within that denomination; and men were put to death for such indifferent actions, as, in a government that retained the least spark of liberty, would hardly have exposed them to any kind of censure. The case of *Cremutius Cordus*, from whose story in *Tacitus* I have taken the motto of my paper, is particularly remarkable: he was condemned to death, and actually suffered it, for having only ventured, in some annals that he published, to praise *Brutus*, and call *Cassius* the last of *Romans*. But this subject, perhaps, I may consider more fully in some other paper.

Let

Let me only farther observe, that a virtuous minister will never dread the *liberty of the press*; and an able minister will never seem to dread it. But a weak and worthless minister will both dread it, and seem to dread it, and endeavour to destroy it. The consequence will be, that the *liberty of the press*, and all who are concerned in supporting that noble privilege, will be at declared enmity with him; and thus a perpetual war will be carried on between Liberty, Learning, and Virtue on the one hand, and Tyranny, Ignorance, and Vice on the other.

I shall take the freedom to add, by way of conclusion, the following passage, extracted from *Andrew Marvel*, which is not only very apposite to my present purpose, but is so full of keen wit and genuine humour, that I think it cannot fail of proving agreeable to my readers. I must only remind them, that Mr. *Marvel* was engaged in a literary dispute with the noted *Dr. Parker*, the great champion of *ecclesiastical tyranny*, in the reign of king Charles and king James II. but the satire, which he aims at that Protestant divine, may be applied with equal force, *mutatis mutandis*, to the friends and advocates of *civil oppression*.—Speaking of the *Doctor*, whom he calls *Bayes*, he proceeds thus:

— The *press* hath owed him a shame a long time, and is now beginning to pay off the debt: the *press*, that villainous engine, invented much about the same time with the *Reformation*, that hath done more mischief to the *discipline of our church*, than all the *doctrine* can make amends for. 'Twas an happy time, when all learning was in *manuscript*, and some little officer, like our author, kept the keys of the library; when the *clergy* needed no more knowledge than to read the *liturgy*, and the *laity* no more *clerkship* than to save them from *hanging*. But now, since *Printing* came into the world, such is the mischief, that a man cannot write a book, but presently he is answered. Could the *press* but once be conjured to obey only an *Imprimatur*, our author might not disdain, perhaps, to be one of its most zealous patrons. There have been ways found out to banish *ministers*, to fine not only the *people*, but even the *grounds* and *fields* where they assembled in *conventicles*; but no art yet could prevent these *sedition meetings of letters*. Two or three brawny fellows in a corner, with *mere ink and elbow-grease*, do more harm than an hundred schismatical divines, with all their *sweaty preaching*; and, which is a strange thing, the very *spunges*, which one would think should rather deface and blot out the whole book, and were anciently used to that purpose, are become now the instruments to make things legible. Their ugly *printing-letters*, that look but like so many *rotten teeth*, how oft have they been pulled out by B. and L. the public *tooth-drawers*? And yet these *rascally operators of the press* have got a trick to fasten them so again in a few minutes, that they grow as firm a set, and as biting and talkative as ever. O! *Printing*! How hast thou disturbed the peace of mankind! That *lead*, when moulded into *bullets*, is not so mortal as when founded into *letters*! There was a mistake sure in the story of *Cadmus*; and the *Serpent's teeth*, which he sowed, were nothing else but the *letters* he invented.

P.

T H E

N O R T H B R I T O N .

N U M B E R L X X V I I . (or XXXI. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

S A T U R D A Y , N O V E M B E R 26 , 1768.

Fac quod medici solent ; ubi usitata remedia non procedunt, tentant contraria. Severitate nihil adhuc profecisti : nunc tenta quomodo tibi cedat Clementia. Ignosce ; nocere tibi nec vult, nec potest ; prodesse famæ tuæ potest. SENECA.

To the N O R T H B R I T O N .

S I R,

FREEDOM of speech has ever been reckoned so essential to liberty, that without it no tolerable state of government can possibly exist, nor any people continue long to enjoy the privileges derived to them from nature, and which, till lately at least, were supposed, in some degree, to have been preserved in this country. The more we examine into this position, the truer we shall find it to be ; for when once the noble privilege of communicating our sentiments to each other is gone, from that instant the spirit of liberty vanishes, and along with it property, and every other enjoyment which an *Englishman* holds dear. In those countries where the natives have not the liberty of writing, or even of speaking on public affairs, it is well known that their possessions are also extremely precarious ; and the same *Lettre de Cachet*, which sends a *Frenchman* to the *Bastile*, for a single expression uttered in derogation to the minister, may at the same instant of time, and by the very same kind of right, deprive him of his inheritance. Examples, indeed, of both species of oppression have not been wanting. Yet so necessary is the public discussion of affairs to every state of government, that even a *Frenchman*, wretched and deplorable as his condition is, will sometimes venture to give loose to his sentiments in a lampoon or
a sonnet ;

a sonnet; and that in defiance of *imprisonment*, or the *gallies*. Shall an *Englishman*, then, tamely suffer the *bridle* to be put into his mouth? Shall he submissively part with this noble privilege derived to him both from nature and his ancestors? Shall he hold his tongue and keep silence, while the *ungodly* are yet in his sight, and that at a time, when he has no other hopes of relief from any grievances he may lie under, but by writing and speaking?

For, whenever a ministry have been either weak or wicked enough to form any designs upon the liberty of the people, it has constantly been their maxim to begin by endeavouring to check the freedom of speech, or, which is the same thing, the liberty of the press; and in proportion as their destructive schemes have become more extensive, in the same degree have they always endeavoured to prevent their being canvassed. In *Charles the First's* time, when that *ill-advised* and *imperious* monarch had taken upon him to rule without parliaments, a proclamation was published, forbidding all persons, of any degree whatsoever, to talk of the matter; and while the right of *representation* was taken from the people, the very faculty of speech was likewise thought necessary to be denied them. In those days too, as in *later* times, a just vindication of the privileges of the subject was stiled disaffection to government; and the man whose ideas were not enlarged enough to come into every proceeding of *prerogative-sovereigns* and *prerogative-ministers*, was branded with the odious titles of Rebel and Traitor.

In the *halcyon* reigns of his *wise* and *happy* sons and successors, Charles and James II. the same blessed positions were still maintained, but enforced with all the influence of fines, imprisonment, and the pillory. The truth is, that "touch a galled jade" and he will wince;" and he that will expose the evil deeds of *ministers*, must expect to feel all the weight of *ministerial* vengeance. Their thunders will most assuredly burst upon his head. He must prepare to stand the shock. For though truth be ever so much on his side, and the effects either of the wickedness or mismanagement of those, who are entrusted with the conduct of public affairs, ever so apparent, yet miserable is the state of the person, who shall presume to say unto any of them, "Thou art the man." This, *Prynne*, *Sydney*, *Russel*, found to their cost; and, in our times, that mirror of ancient firmness and patriotism, the much-injured JOHN WILKES, esq. The more truth, indeed, the greater is the offence: truth has lately been declared, even from the *B—ch*, to be a *libel*; and if ministers cannot defend themselves any other way, they can, at least, have recourse to the thunderbolts of power, which have served to dispirit and frighten many a well-meaning, but timid, person into silence. In this respect, their conduct may be aptly compared to some others of their brethren, who live also by levying contributions on the public. When robbers stop a passenger on the highway, it is no uncommon practice with them to put a gag into his mouth, to prevent his crying out; in the same light are we to view all the severities practised by arbitrary princes and their ministers, against those who have the penetration and courage to scrutinize into their conduct. When their proceedings are bad, it is their business to prevent

prevent an outcry, and, by putting the gag into the mouths of those who would speak, to prevent, if possible, all examination into their measures. Thus there cannot be a more certain sign of the ill steps pursued by any set of men, than the rigours practised against those who examine into their conduct. The frequency too of these rigours, has always been in proportion to their iniquities; and we need no other proof, that (as Hamlet says) "there is something rotten in the state," than to hear of people's being dragged away from their families, to goals, pillories, and punishment, for supposed libels against government.

Under good princes and upright ministers, the case has ever been otherwise. The first act of *Titus's* government, was to banish all informers from the state. In *Trajan's* time, *Tacitus* tells us, that the excellency of his reign was peculiarly distinguished, by the freedom then allowed of discussing public affairs.—*Rara temporum felicitas, ubi sentire quæ velis, et quæ sentias dicere licet.*—When a man might think as he pleased, and say what he thought.—But good measures will never need severity and rigour to defend them. They always speak for themselves; and it is not in the power either of obloquy or sedition to misrepresent them. On the other hand, fines and imprisonments may alarm, may surprise, may exasperate, but will never subdue a free people. *Tiberius* and *Vitellius* both perceived their ill effects when too late; and the latter, as well as *Cajus*, the successor of *Tiberius*, fell at last a victim to his own cruelty.

But these princes, with many more of the like stamp, were themselves, for the most part, the denouncers, and frequently the executioners, of their own severities. In more recent times, this amiable power of doing hurt, has been generally taken up by ministers; and what was insupportable even in the master, has been poured out with tenfold vengeance by the servant. Charles's obstinacy and tyrannies are, undoubtedly, to be imputed, in a great measure, to his favourite earl of Strafford. Those of his two sons, indeed, allowing for the help they also received from favourites and ministers, arose, in a good degree, from a pretty considerable want of principle in the one, and a most blood-thirsty, bigotted idea of sovereignty in the other: yet these were the blessed times when Englishmen were forbid, even by proclamation, to speak of state affairs; when the Gallic yoke was imposed upon the free-born Briton's neck, and the generous spirit of our brave forefathers reduced to the same abject state of slavery with that of the fawning, servile Frenchman.

The oppression, however, was not long to be borne. While one king lost his head on the block, the other, till relieved by a dose kindly administered to him by his good brother, found himself in a situation, which rendered it necessary for him, once more, to recur, by constitutional measures, to the good will of the people: the fate of the third, let rebels and Jacobites, with tears, lament.

Nor did these monarchs alone suffer for the arbitrary measures pursued by them. The *judges*, those sacred, but then treacherous, guardians of the lawful rights of the people, became the just victims of their own indefensible proceedings. Some of them were fined, others disqualified; but JEFFERIES, the *prime leader* and *director* of them all, met with a fate suitable to his transcendent merit. Such must ever be the consequence of evil measures. “Like a bay-tree, the wicked may flourish and look green for awhile; but we look again, and their place is not to be found.” Vengeance, though sometimes *tardy*, is always *sure*, and an unhappy end never fails to befall the evil-doer.

In public grievances, especially, though the offender may stand firm for a time, secured either by his own greatness, or sheltered behind the spreading wings of a throne, yet the vengeance of the people shall reach him even there, and drag forth the *Cerberus* and his horrid deeds into open day-light. Courtiers and ministers may think as they please; but a continued series of “oppression” will make even a wise man mad: and has never, hitherto, passed unattoned for. It is the nature of the English, above all people, to bear the first encroachments on their liberty with resignation and patience. Naturally generous themselves, they still hope the best from others; and are generally willing, at first, to impute the grievances brought upon them to no ill design, or, at worst, to the want of forecast in their rulers: but, when repeated acts of tyranny and oppression have been offered them, all the lion then is roused in their breasts; their fury bears down every thing before it, like an impetuous torrent that overwhelms its bounds; and the *haughty favourite*, who before smiled at their threats, now trembles at the storm which he sees gathering around, and either seeks in *foreign* countries to hide his *guilty* head, or falls a victim to their “great revenge.” Of this, the Gavestons, the Spencers, the Lauds, the Straffords, with all other ministers of the same odious cast, from the Conquest down to the present times, have left us ample and dreadful memorials.—For their numerous fry of underlings and dependents, they either retire, in these awful moments, into corners, where the justice of their country soon finds them out; or, if they have a little more prudence than common, betake themselves, with their leaders, beyond the sea. The only mischief is, that, before a *clearance* of this sort can be effected, a kingdom is sure to suffer much. Many of the *nobles*, its guardians, will be *corrupted*; dissensions will be sown amongst the most *respectable* bodies: some few, even of merit and distinction, will be led away, and a general disorder and confusion prevail. But, thanks to that Creator, who has formed them, like their own native timber, of such durable stuff, the hearts of the English gentry and nobility are never totally to be subdued. The men of the finest parts and first quality among them, have always stood firm to their country, and neither ill success nor severity has been able to bend their unconquerable souls. In Edward the Second’s reign, the noble earl of Lancaster, with ninety-five barons or knights, were all taken prisoners in one battle, and many of them, with the brave earl himself, lost their heads; yet was not the noble courage of the English subdued. They again rose, and, in spite

spite of all the rigours of severity and power, triumphed over that unhappy prince and his favourites: for an Englishman feels that within him, which cannot stoop to oppression and tyranny. The meanest individual among them knows himself to be equal, in point of liberty, to the first monarch on the face of the earth: he looks down, with contempt, on those nations who have servilely parted with the noble privileges bestowed alike upon all mankind by nature, and scorns any other rule than that of his own lawful sovereign, as constitutionally and legally established. Their senate, too, without having recourse to the violence of former times, have, for near this century past, found out much better, and less disagreeable, methods of reforming any abuses that have crept into the state. Their remonstrances have never been presented in vain; and the wisdom of a British legislature is of too high a nature to proceed upon slight foundation, and, when exerted, to be trifled with, and treated with contempt.

Since the accession of the august and princely house of BRUNSWICK, few, if any, have been the evils that have arisen to the state, excepting from the designs or errors of ministers. The first GEORGE was deservedly reckoned at once one of the best and wisest princes of his time. His late majesty died never sufficiently to be regretted by his subjects; and may his present majesty, so formed for domestic happiness, and intended, as it were, by Nature, for sovereignty and command, long live to enjoy his throne and empire, happy in the possession of a most virtuous and prudent queen, and in the pleasing hopes of a blooming and numerous offspring; heirs at once to his virtues and crown! May the honourable house of Commons, than which, one either of greater expectation or independency, has not, for some time, been formed, join the paternal goodness of their sovereign, in relieving the distresses of the people, and banishing from their breasts the seeds of jealousy and ill-humour, which some designing persons have but too well succeeded in sowing among them. May lenitives, not rigour, take place; and the noble peerage of England, like the generous barons their forefathers, co-operate in the great design, by recommending gentleness and clemency to the executors of justice, and the minds of the people be no longer agitated with repeated accounts of fines and imprisonments inflicted on undesigning and harmless people, and incurred only by pursuing, with industry, the necessary business of their respective callings. The crisis is, at present, awful from abroad. May no unrelenting severities be used to aggravate matters at home. If the dignity of justice is to be supported, it surely is not to be done by unnecessary altercations with booksellers and printers, and issuing out mandates from the Royal Bench, to *break a fly upon the wheel*. The idea of legal government has something nobler in it, than to be thrown away upon such objects. *Eloquence* and *knowledge* can never be better employed, than in defending the birthrights of the subject, in settling their disputes, and fixing the property and privileges of the people. As for those, who, without either *knowledge* or *eloquence* to recommend them, are distinguished for nothing but a *brutal ferocity*, and an odious desire of illegal force; *away with all such*; their furious temper is not suited to the times. - -
Their

Their savage nature clashes with the laws, which recommend, on all occasions, lenity and moderation. Above all, let them take care that they do not overshoot themselves. Their impetuosity may, perhaps, carry them farther than it ought; and the legislation of Great-Britain will not suffer the lowest subject to be crushed undeservedly. In a word, we have heard enough already of prosecutions and rigour: let gentler methods at last take place; and there is no doubt, but, under the guidance of a good king, and an able parliament, we may again soon be made the happy people our enemies, to their confusion, saw us not long ago.

Sold by W. BINGLEY, in the King's Bench Prison; and may be had at his Shop, opposite Durham Yard in the Strand. Where likewise may be had, any of the former Numbers, and complete Setts sewed in blue Paper.

N. B. The Forty-fifth Number of *the Continuation* of this Paper, will finish the Volume, with which will be given, GRATIS, a general Title, and copious Index. And those who have been disappointed, in Town, by not receiving it regularly, by the News-Carriers; or in the Country, through the ministerial Mandates delivered to the Clerks of the Post-Office, are desired to complete their Sets with all Expedition, as they cannot, consistent with the Safety of the Publisher, be printed hereafter in small Pocket Volumes.

This Day was published,

NUMBER VII. Price One Shilling. (To be continued) of

THE CONSTITUTIONAL MAGAZINE; or, COMPLETE TREASURE of POLITICS and LITERATURE. For October, 1768. This Number contains, A List of the Twelve Hundred and Forty-Seven Liverymen of London, the declared Enemies of General Warrants, Seizure of Papers, &c. who voted at the last General Election for JOHN WILKES, Esq; Accurate Copy of a genuine Letter to a late Governor of Virginia. Thoughts upon the present Establishment of the Navy; with a slight Retrospect on the State of it in former Reigns. Display of Spinoza's Ratiocination, from the candid Bishop Berkeley. Noble Instances of Honour in some Knights of the Order of the Holy Ghost, viz. Scipio de Fiesque; Francis le Roy, Lord of Chavigny; James, Count de Crusiol; and Francis Gouffier, Lord of Crewecour. An Answer to the Encomiums bestowed on M. Freret, a Freethinking Author, by Voltaire, in his *Catalogue Raisonne des Esprits Forts*, published in our last Number. The Three Letters to Sir William Beauchamp Proctor, Bart. Extract from Mr. Livingston's Letter to the Bishop of L——ff.

London: Printed for W. BINGLEY, opposite Durham-Yard, in the Strand, (by whom Letters directed to the Author are received) and may be had of all the Book-sellers in Great-Britain and Ireland; as also of the News-Carriers in Town and Country.

N. B. The Nobility, Gentry, &c. who are pleased to honour the Publisher with their Subscriptions to this valuable little Work, are humbly requested to favour him with their Address, as, to prevent any Disappointment in the Delivery, he has engaged proper Persons regularly to distribute the same throughout London and Westminster, and Places adjacent. Country Orders from Book-sellers and others likewise duly attended to.

T H E

NORTH BRITON.

NUMBER LXXVIII. (or XXXII. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

SATURDAY, DECEMBER 3, 1768.

*Remember, O my friends! the laws, the rights,
The generous plan of power delivered down,
From age to age, by your renown'd forefathers;
(So dearly bought, the price of so much blood!)
O! let it never perish in your hands,
But piously transmit it to your children.*

CATO.

To the NORTH BRITON,

SIR,

As you was so good as to insert, in one of your former papers, the dialogue I sent you on the Middlesex Election, I hope you will pay the same compliment to the inclosed address; and oblige

Yours, &c.

E. B.

To the Independent GENTLEMEN, CLERGY, and FREEHOLDERS;
of the county of MIDDLESEX.

GENTLEMEN,

THOUGH I endeavoured, in the fifty-eighth number of this paper, to explain and inforce, in the best manner I was able, some of the principal reasons, which ought to induce you to chuse Mr. *Serjeant Glynn*, rather than Sir *William Beauchamp Proctor*, for one of your *representatives in parliament*; yet, as the election is now at last fixed for Thursday next, the 8th instant, I cannot omit the present opportunity of offering, to your consideration, a few more sentiments on the same subject.

And first, I shall take for granted, what, I believe, will be readily allowed, by every one who has given the least attention to what hath passed in this county for these five or six months, that the former of these gentlemen is opposed, and the latter is supported, by the ministry. The long and unnecessary delay in issuing the writ, the warm and unwearied canvass that has been carried on by the creatures of the court; the threats that have been used with
some

some freeholders, the promises that have been made to others, and the bribes that have been offered to all, who, the ministry thought, would be mean enough to accept them; these, and a thousand other circumstances that might easily be mentioned, are irrefragable proofs of the truth of the above *postulatum*. But it is needless to go about to prove what is not denied by the ministry themselves. For they are so far from endeavouring to conceal, that they have all along openly avowed their intention of supporting *Sir William*, and controuling the freedom of election. If you talk to them of the violation of the laws, which they thereby commit, they laugh in your face, and set you at defiance. In a word, they seem to think, that laws were made only for the body of the people, and not for ministers, or their creatures and dependents; and that while a common man may be punished for a real, or even a pretended, breach of any law the most insignificant, a minister, or his agent, may violate the most sacred and the most important with absolute impunity.

I am not to be told (for I know it already) that there never was a time, at least since a seat in the house came to be a station of so much consequence, when ministers did not interfere in the election of members of parliament; but then they did it in a secret and under-hand manner: it is reserved, I believe, for our time, and, in some measure indeed, for this county, to see them interfere openly and avowedly, without sense of shame, or fear of punishment. Nay, not satisfied with supporting their favourite candidate with all the weight of their own interest, they have even the impudence to prostitute the sacred name of majesty, and to represent him as the king's candidate; as if, forsooth, the *members of parliament*, like the *band of gentlemen-pensioners*, were to be nominated by the king, or by the minister for the time being: a practice, which, should it ever prevail, would reduce the *House of Commons* to the same low and contemptible condition with the *Roman senate* in the time of *Caligula*, when that profligate and wrong-headed emperor proposed making his *horse* a *consul*.

It must, indeed, be acknowledged, that the more prudent, or rather the more cunning part of the ministry, disclaim all intention of interfering in the election. The bribes, threats, and promises they absolutely deny; and, with regard to the delay in issuing the writ, they say it was intended to allay the popular ferment, and to allow the freeholders time to return to their right senses; that is, to return to a blind and slavish submission to their sovereign mandates. In other words, the sacred flame of Liberty, which, after being long smothered, had been happily rekindled, and began to burn strong, they hoped they should be able entirely to extinguish by a shower, not of rain, but of silver and gold. In these hopes, however, I trust they will be disappointed, and that the noble spirit, which has lately been raised, will not be suffered to die away, nor even to subside, until it has fully accomplished its end; till it has thoroughly cleansed the *Augean stable*, and effected a total reformation of the state.

But the mask I have now mentioned, it is very well known, is worn but by a few of the ministry, or their hirelings: the greater part publicly declare their design, and boast of their being
able

able to secure Sir *William's* election. They have opened upon you, they say, the *flood-gates of the Treasury*; and let you withstand the torrent, if you can. In a word, gentlemen, they have the unparalleled presumption to count upon you, as they do upon the beggarly inhabitants of *Totness* or *Old Sarum*, and pretend they can lead you by the very same means, and with the very same ease: a piece of insolence, in my opinion, which can be ascribed to nothing but their despair of success, and their finding you superior to all kind of corruption; for a rake, it is certain, is never more apt to asperse the character of a lady, than when he finds her virtue absolutely impregnable.

But the ministry, gentlemen, have not only already interfered in this election: they mean still to interfere in it; and as *Mr. Glynn* informs you; in his advertisement in the news-papers, "to prolong and delay, as well as to embarrass and perplex, the poll:" so that, instead of one, as usual, you will probably be obliged, by this new trick, to lose six days labour, in attending the election; a very gentle punishment, it must be confessed, for your daring to follow the dictates of your conscience, to assert your constitutional privileges, and to give your votes for a man who happens to be disagreeable to the court. The truth is, gentlemen, matters are now come to such a pass, that, if you unhappily flinch on the present occasion, which I cannot allow myself to think that you will, I shall expect to see you at all future elections waiting on the minister, to receive his orders, and then proceeding to elect the person recommended with as much unanimity, and I believe too with as much freedom, as the dean and chapter elect a bishop.

As it is, therefore, evident, beyond the possibility of a doubt, that *Mr. Serjeant Glynn* is opposed, and *Sir William Beauchamp Proctor* is supported by the ministry, this single circumstance is, in my opinion, sufficient to determine your choice: for, as matters now stand, and have for some time stood, I would not require any stronger proof of a man's public merit, than his being obnoxious to the court; nor of his demerit, than his being favoured by it. True it is, that the interest of the prince and the interest of the people, if rightly understood, are the same; but it is no less true, that the interest of the prince and the interest of the ministry are often very different: and it is a certain fact, that the interest of the ministry, I mean their *temporary* and *mistaken interest*, has, for these seven or eight years, been not only different from, but totally incompatible with the interest of the people. The interest of the people is to defend their own rights; the interest of the ministry is to invade them: the interest of the people is to secure their own property; the interest of the ministry is to rob them of it. Reflect, gentlemen, on the intolerable load of the national debt, on the unsupportable burthen of the public taxes, on the enormous sums that are swallowed up by placemen and pensioners, on the immense fortunes that are raised by the pretended guardians of our liberty and property; on the large standing army that is maintained, rather to overawe, than to defend us against our enemies; and on the still larger, and perhaps more dangerous, army of civil officers, that live at our expence, and prey, like vermin, upon the body-politic. And out of whose pockets does the money come that defrays all these charges? Out
of

of whose, I would ask, but those of the people? The people are the bees that make the honey; the people are the sheep that bear the wool: but, like bees and sheep, they neither make the honey, nor bear the wool for themselves. These are devoured by idle, useless drones, or ravished from them by insatiable state-vultures:

Sic Vos non Vobis mellificatis Apes ;
Sic Vos non Vobis vellera fertis Oves.

Is there one of you, gentlemen, that rents a house, for instance, of thirty pounds a year, that does not pay eight or ten pounds in taxes? Not to mention what you pay on food, cloaths, furniture, and every other necessary and convenience of life. Dr. *Prideaux*, somewhere talking on this very subject, makes it a question, whether the modern governments of Europe, as they have been lately conducted, are a greater blessing or curse to the people; or whether the advantages, which the subjects derive from these governments, are sufficient to compensate the miseries brought upon them by their rulers. I will not say, that our own government is yet become so oppressive, as to intitle us to answer this question concerning it in the most unfavourable sense; but, if matters be suffered to proceed much longer in the manner they have done for some time past, I believe few people will be at a loss to determine what answer ought to be given.

Such being, therefore, the present situation of affairs, such the avarice and rapacity of the great, such the poverty and wretchedness of the people, and such the melancholy prospect that lies before us, if some effectual steps be not taken to check the one, and relieve the other; it will hardly admit of a doubt, which is the most proper to be your representative in parliament; the man, who, from his past conduct, is known to be likely to fall in with every arbitrary design of the minister; or he, who, from his spirited behaviour on former occasions, and from his having nobly dared to stand forth in defence of the violated rights and privileges of his fellow-subjects, may be presumed to be equally willing and capable to support them with vigour in every future crisis. The truth is, gentlemen, this point is so extremely clear, that I think it needless any farther to insist upon it.

But let us suppose, what yet will never be supposed by any one who will keep his eyes open, that all ministerial influence were out of the question, and that the two candidates were to be tried by the plain standard of their personal merit; in that case, the contrast would be still more striking. On the one hand, we have a man, who, though he probably had the advantage of a liberal education, is so very ignorant, that he cannot express himself but in such language as a peasant would be ashamed of. On the other, we have a learned, eloquent, and able lawyer, intimately acquainted with the constitution of his country; zealous to defend it, when attacked; capable to improve it, where deficient; and qualified to enforce every measure he proposes, with the most powerful and persuasive arguments.

I shall not here enter into a criticism upon *Sir William's* first address and circular letter to the *Freeholders of Middlesex*. They are both to be seen in the news-papers; and their absurdity has been

been sufficiently displayed by several other writers. I will only observe, that had not *Sir William* been as weak as he was ignorant, he would never have thus exposed himself to the derision of the public. He very well knows, perhaps experimentally, that it is a common custom at Westminster, Eton, and the other great schools, for young persons of family, or of fortune, to employ poor lads of better parts and genius to compose their exercises. Now, why did not *Sir William* follow this example? Why did not he employ his chaplain, if he keeps one, or some learned friend, if he has any; or, at least, send for some Grub-street writer, to polish his advertisement? This expedient, indeed, he has now thought proper to adopt. But it happens unluckily, that he has overshot the mark. For, in his new address, he delivers such sentiments, and clothes them in such language, as never, I dare say, entered his head, or dropt from his pen. A man that can hardly speak, and still less write, if ever he ventures to appear in print, should confine himself to the plain and simple stile: he should never presume to rise into the figurative. But *Sir William* has been guilty, or his assistant has made him guilty, of this impropriety. In his new address he says; “for conduct like this, I have now the approbation of my own heart; and “if that approbation is echoed back by your voices at the ensuing poll, I shall esteem it the best reward an honest man can receive.” Who can imagine, or who can believe, that a man who lately talked of being *assiduous* of *shewing duty*, and of *preserving liberties*, is the author of this sentence? The writer, I suppose, is some merry wag, who had a mind to render the poor knight ridiculous, by making him utter sentiments, which, it is more than probable, he does not understand. *The world*, says the proverb, *little knows what silly fellows govern it*; and there never, I believe, was a stronger proof, than *Sir William's* late conduct, of the truth of this observation.

It is farther to be remarked, that, in this new address, *Sir William* hath thought proper to put on a mask, and assume a new character; for whereas formerly he and his party had the insolence to load the *people* with the most opprobrious epithets, calling them the *Mob*, the *Rabble*, the *Canaille*, and representing the *spirit* of Liberty as a spirit of *Licentiousness*, they have, all of a sudden, changed their note; and we now hear of nothing but of *Sir William's* being true to the CAUSE OF THE PEOPLE, and being guided in all his actions by the spirit of LIBERTY.

I cannot, in my conscience, accuse *Sir William* of having himself contrived this stratagem; since, bungling as it is, I believe it is rather beyond his reach: it must certainly have been suggested to him by some of his friends among the ministry. But you gentlemen, I am satisfied, are not so very simple as to be caught by such a bait; you have too often heard of the practice among *pirates* of *throwing out false colours*, to suffer yourselves to be deceived by such a wretched artifice.

As the characters, therefore, of the two candidates are not only so very different, but almost totally opposite; as the one is possessed of every quality of head and heart, which can recommend him to your favour; while the other, besides being destitute of the qualities

qualities of the head, has several of the heart, which must necessarily make you doubtful of the sincerity of his professions; as this, I say, is the case, I will not offer such an insult to your understanding, as even to drop the most distant hint where your choice ought to fall.

I shall conclude with observing; that you gentlemen, the independent Freeholders, have, at least, one advantage over your venal and prostitute brethren, whose number, however, I hope, will appear, upon trial, to be very inconsiderable; viz. that you can take the oath against bribery and corruption with a much safer conscience; whereas these abject creatures of the court, in order to preserve their places or procure new ones, must set Heaven at defiance. But, however apt they may be to talk of religion upon other occasions, it has always been found, that, whenever their interest comes in question, they have made as little scruple of violating the laws of God, as of betraying the liberties of their country.

I am,

GENTLEMEN,

Your sincere well-wisher,

And most humble servant,

A BROTHER-FREEHOLDER.

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T H E

N O R T H B R I T O N.

NUMBER LXXIX. (or XXXIII. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

SATURDAY, DECEMBER 10, 1768.

Fronte capillatâ, post est Occasio calva.

CATONIS DISTICH.

To the N O R T H B R I T O N.

S I R,

IT is a common expression in the mouth of every one, that a man, who hath laid hold of some lucky opportunity to make his fortune, hath played his cards well. Addison, I think, somewhere discoursing on this very subject, observes, that there is a favourable crisis in the life of most men, which if they properly improve, their fortune is made for ever; but, if they neglect it, they may never perhaps be able to recover. And *Shakespear*, with his usual energy, says, still more emphatically, to the same purpose,

*There is a tide in the affairs of men,
Which, taken at the flood, leads on to fortune;
Omitted, all the voyage of their lives
Is bound in shallows and in miseries.*

It must, indeed, be confessed, that those who have been most remarkable for thus *playing their cards well*, have not always been men of the most virtuous lives, or the most scrupulous consciences; but that, like arrant gamblers and sharpers, they have frequently packed the cards, or cogg'd the dice, in order to defraud their unwary play-mates. Like gamblers, too, they have sometimes been detected in their knavish tricks, and obliged to restore their ill-got gain; but it hath more commonly happened, that, by the help of a grave or an impudent face, they have escaped all detection, and got clear off with their plunder. I shall not at present take notice of any of those petty gamblers, who have played their cards well at the expence of their friends and acquaintance: these I shall leave to the recollection of every reader: I shall confine myself entirely to those great gamblers, who have played their cards well at the expence of the nation; and even of these

these I shall only point out a few of the most distinguished. And the first I shall mention is the famous cardinal *Wolsey*, who played his cards so well in the reign of king *Henry VIII.* as to acquire an annual revenue equal, if not superior, to that of his royal master. But *Wolsey* shared the fate which should ever attend gamblers. His wealth excited envy; his conduct was narrowly watched; his tricks were discovered; he was stripped of his fortune, and reduced to his primitive poverty: and *Whitehall* did lately, and *Hampton-Court Palace*, and *Christ-Church College* in *Oxford*, still remain monuments of the immense sums which he plundered from the people.

The reign of king *Edward VI.* and that of queen *Mary*, were, both of them, too short to afford much opportunity for this political card-playing. Queen *Elizabeth*, it is true, had her favourites; but she was too frugal, as well as too just, a princess, to suffer any of her ministers to play their cards well at the expence of her other subjects. The reigns of all the princes of the *Stuart-line* were one continued series of political card-playing; and *Somerſet* and *Buckingham* first, *Clarendon* and *Danby* afterwards, found means to drain the nation of considerable sums of money. But *Somerſet*, with his fortune, had well nigh lost his life: *Buckingham* lost his life, though his family did not lose his fortune: *Clarendon* lost his fortune, and was banished the kingdom: and *Danby*, though he was able to weather the storm, sustained several rude and violent shocks from the parliament. The mistresses, too, of king *Charles II.* played their cards to good purpose; and some of their posterity, particularly our present would-be prime minister, are now enjoying the fruits of their mothers' industry, and the rewards of their dishonour. Judge *Jefferies* likewise attempted to play his cards; and for some time, it must be owned, he played them not unsuccessfully; but he was, at last, obliged to pay the forfeit of his life to the just indignation of an enraged people.

King *William* resembled queen *Elizabeth*, as in many other respects, so likewise in this, that few ministers could play their cards well during his reign: their minds were too much taken up with the interest of *England*, and the general interests of *Europe*, to leave them much time to attend to their own narrow and selfish interests. In queen *Anne's* reign the duke of *Marlborough* played his cards to very good purpose; but he played them as much to the honour and advantage of the nation, as to his own private emolument, and therefore he has never been branded with the name of a political gambler. As to *Bolingbroke* and *Oxford*, they had just dealt the cards, and were beginning to sort their hands, when the Queen's sudden and unexpected death put an end to the game.

But there is no period in the English history (excepting always the present blessed period) when the practice of political card-playing was more prevalent than during the famous *South-Sea scheme* in the year 1720, when a set of the most desperate gamblers and sharpers, that ever infested any nation, played their cards so well, that, in the space of a few months, they picked the pockets of the people of no less than a million and a half sterling. For this crime several members were expelled the house of commons; and, among the rest, *John Aislabie*, esq. chancellor of the exchequer: and the committee, appointed to enquire into the matter, declared, "that
" they

“they had discovered a train of the deepest fraud and villainy, that hell ever contrived to ruin a nation.” Accordingly some of the principal gamblers were seized, and made to restore the booty they had taken. But *Knight*, the cashier, and one of the most criminal of the whole gang, escaped to the continent with the green-book, containing the secrets of the company, a circumstance, that rendered it impossible for the committee ever to dive to the bottom of the project. *Knight* continued abroad about twenty-three years, and then returned to his native country, where he died; and his son, very probably as a reward of the father's villainy, was created a peer of *Ireland* by the title of baron *Luxborough*.

Though the commons pretended to examine into this affair with the utmost rigour and severity, yet were not the unhappy sufferers satisfied with their conduct: they still believed the commons to be the principal criminals; and a great crowd of them came to the door of the house, and demanded justice in the most clamorous manner. The house was alarmed; the justices and constables were ordered to attend and protect the members; and the proclamation against riots was twice read: upon which the petitioners dispersed, crying out, “That they first picked their pockets, and then threatened to send them to jail for complaining.” *Sir Robert Walpole*, it is well known, had a space of no less than twenty years to play his cards in, and it is certain he play'd them tolerably; witness the house, or rather the palace, he built at *Haughton* in *Norfolk*: but he was so narrowly watched, and so vigorously opposed by *Wyndham*, *Shippen*, *Pulteney*, *Bolingbroke*, and others, that he never durst venture upon any bold or desperate stroke; and hence it was, that he retired from business in no very affluent circumstances. *Pulteney*, too, is said to have been a political gambler, and to have received the greatest part of his fortune as a gift from the crown; but, in a pamphlet which he wrote about the year 1731, he absolutely denies the fact, and affirms, that the only favour (if indeed it can be called a favour) which he ever received from the crown, was the converting part of his estate into a freehold, for which he paid the sum of 500 l. which joined to the other expences amounted to 1300 l. making up in all a whole year's rent of the premises.

I come now to the present period; a period, that will be ever memorable in the annals of *England*, for having produced the greatest number of political gamblers, that has yet appeared in this or in any other nation; and which this nation at no other time, and no other nation at any time, could have suffered to prey upon it with such perfect impunity. But where shall I begin? or where shall I end? For their numbers are so great, and their enormities so shocking, that I am absolutely perplexed and distracted in my choice. Shall I begin with a late popular commoner, and now unpopular peer, who, though originally possessed of so small an estate as was hardly sufficient to qualify him for a seat in the lower house, has, by the mistaken public spirit of an old doating baronet, and the unexampled liberality of a too indulgent master, acquired a fortune equal to some of the richest and most ancient families in the kingdom? But let me not insult
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the memory of the dead. Mr. Pitt had his day, and when he had it, he shone forth with a noble and distinguished lustre. When intrusted with the conduct of our public affairs, he conducted them honourably for himself, and gloriously for the nation; and, had he never stained his once spotless character by an union with the insolent and detested favourite, his legacy, his pension, and perhaps even his peerage, might have been forgiven him. But he now remains, and will ever remain, a melancholy proof of the truth of the poet's maxim,

dicique beatus

Ante Obitum nemo supremaque funera debet.

From one, who was once the object of popular confidence and affection, I shall make a transition, though perhaps not very naturally, to one, who was always the object of popular jealousy or hatred; and who, like the celebrated commoner I have just mentioned, sunk also into a peer, if indeed it was possible for him to sink lower than he was. I mean the person, who, while secretary of state, lost us, either by his ignorance, his treachery, or his negligence, the important island of *Minorca*; and who, as a reward for his services on that interesting occasion, held the office of Pay-master of the forces during the greatest part of the late war. This man, who is certainly a most dextrous and expert *political gambler*, and understands *flight of hand* as well as any one that was ever educated in the academy of *St. Giles's*, played his cards so well, partly in his own office, and partly in the Alley, that he at last retired from business with one million, some say a million and a half, nay, some say two millions of money. This, I think, was playing his cards with a witness.

I should be sorry to rank any gentlemen of the long robe in the list of *political gamblers*; but it cannot be denied, that some of the most eminent of them have played their cards very well. The late chancellor was raised to that office, as well as to the presidentship of the council, more through the necessity of the times, than his own personal merit; and though he is now divested of both these employments, or rather—as I believe he conceives the matter—is freed from the drudgery of attending upon them, yet has he secured to himself a good swinging pension of 4000 l. a year, not to mention the reversion of the clerkship of the hanaper for two young lives, after the demise of the duke of *Chandos*, producing an annual salary of about 1350 l. The present chancellor is universally allowed to be a man of great merit; but it was not so much on account of that merit, as of the popularity he had acquired by the decisions he gave in the affair of *Mr. Wilkes*, that he was advanced to the high post, which he now possesses. I hope he still retains his former principles, and that he is in no danger of being deprived of his office; but if he should, he has taken care to feather his nest, by procuring for his son the reversion of a teller's place in the exchequer: and, in case he should lose his employment before that falls vacant, he is to have for himself a pension of 1500 l. a year on the Irish establishment.

There is another eminent lawyer, that shall at present be nameless, who, notwithstanding all his professions of disinterestedness and self-denial, hath played his cards as well as either of the foregoing. Born, as he was, on the North side of the *Tweed*, he is deeply

deeply infected with the principles of slavery and despotism; and these he hath endeavoured, and unhappily but with too much success, to introduce into the courts of judicature in this kingdom. He hath continued now, for these six years and upwards, to support with all the quirks and quibbles of the law, every arbitrary measure of every tyrannical minister; so that, during that time, he hath always been considered, and often indeed called, the grand prop and pillar of the government. The consequence is, that he has acquired such an interest not only with the ministry, which is fleeting and changeable, but also with the court, which is fixed and permanent, that no favour he asks can possibly be denied him. True it is, he informed us, in a speech he delivered on a late memorable occasion, that he never solicited or received any favour from the court but the place he holds in the law; but he did not inform us, whether he had not solicited and received favours for his friends and relations: and even supposing, what yet is very doubtful, that he had never solicited or received any favours either for himself or dependants, it will not thence follow, that he has not *played his cards well*. A large stock of interest secured at court, and reserved to be employed upon a proper occasion, may be as good, perhaps during these unsettled times may even be better, than the immediate enjoyment of places and pensions, which may be taken away at pleasure; in the same manner as a sum of money deposited in the bank, where it is free from all danger, is a better and more negotiable property, than if it were locked up in one's own strong-box at home, where it may be consumed by fire, or stolen by thieves.

I must omit taking notice of earl P——y, who has got a regiment; a post for which, it is certain, from the nature of his education, he must be admirably qualified; and Henry Seymour C——y, esq. who has procured the office of lieutenant-general of the ordnance; and of all the other little fry of *political gamblers* and *sharpers*, who have had the address to *play their cards well* during the late troubled period. I shall only take the liberty of mentioning two more of the principal *gamblers*; but two of the most impudent, the most worthless, and yet the most successful; I mean our present pretended prime minister, and the late chief city magistrate. The prime minister, it is on all hands acknowledged, rose first into notice, as well as into power, by the popularity he gained in espousing the cause of *Mr. Wilkes*, and in opposing the illegal and unconstitutional steps which the ministry took to persecute that gentleman---and, indeed, this was the case of most of our late and present ministers---but, like a foolish boy as he is, he had no sooner mounted the state-scaffold, than he kicked down the ladder by which he had got up; and now that he is obliged to come down again, I dare say he would be glad of some such useful conveyance; and I wish to God that, for want of some such, he may not break his neck in the fall.

But, fool as he may be in other respects, he is no fool in *political gambling*; for being accustomed, from his youth, to *private gambling*, he has been thereby enabled to play his part to admiration in that of a *public* nature. It must, indeed, be owned, that, as a *private gambler*, he was rather somewhat unsuccessful, having lost his whole fortune to the late *duke of Cumberland*; but
that

that is the very reason why he has succeeded so well as a *public gambler*. The wit, which we learn from dear-bought experience, is always the most useful; and having felt, from his carelessness, the hardship of poverty, he was determined, by his *industry*, to secure the pleasures of affluence: and this he is said to have done to very good purpose. Nor has he only taken care to supply himself with wealth; he has likewise had the address to adorn himself with honours; for, merely by the weight of his ministerial character, he has got himself, contrary to all reasonable expectation, elected Chancellor of the university of Cambridge. What motive could induce the members of that learned body to elect such a chancellor, I am at a loss to determine. If they expect any favours from him in his ministerial capacity, they will find themselves disappointed; for his ministerial power is already virtually expired, and the shadow will soon follow the substance. If they imagine, that the dignity of his character will do honour to the university, they will, if possible, be still more mistaken; for I believe it would be difficult to pick out, from the whole body of the nobility, a man of less real or genuine dignity of character. I can only think of one service, which he can perform to the university, and that is, when the students come up to town, to see the world, as they phrase it, in plain English to spend a few days, or rather nights, in the purlieus of Covent-Garden, the chancellor will be a very proper person to head the party, and to shew them the houses of the most civil reception. Or, perhaps, he may be ~~so complaisant as to establish for them a private seraglio~~ in his own house, under the distinction of his chaste hand-maid *Nancy*.

But of all the *political gamblers* that ever were heard of, commend me to the late worthy lord-mayor of London, who, though totally destitute of every other kind of merit, but that of having fought, for the honour of the ministry, a few battles with some chimney-sweepers and ballad-singers, *played his cards so well*, that he hath got himself appointed a privy counsellor, and obtained the cloathing of so many regiments, as brings him in, it is affirmed, a clear profit of 4000 l. per annum.

Let me only observe, before I conclude, that there is one man, who, though he had as fair opportunities, as ever man had, to *play his cards well*, yet played them most unskilfully, I mean the late *duke of Newcastle*; for so far from endeavouring to build up his own fortune upon the ruin of that of the public, he spent the greatest part of it in supporting the honour and dignity of the crown, and promoting, to the best of his power, the welfare of the nation. But *Newcastle* was a fool, and did not know the world; and was so weak as to think, that a virtuous minister should always sacrifice his own private interest to the interest of his country.

I am, Sir, yours, &c.

L.

ERRATUM.

In our last, p. 478, l. 10, for *with a much safer conscience*, read, *with a safe conscience*.

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THE
NORTH BRITON.

NUMBER LXXX. (or XXXIV. of the CONTINUATION.)

To be continued every Saturday. Price Two-pence Halfpenny.

SATURDAY, DECEMBER 17, 1768.

*The ENGLISH FREEDOM will be at an end, whenever the COURT
invades the FREE ELECTION of parliaments.*
RAPIN, Tindal's Translation.

MANY and various have been the methods employed, by wicked ministers, to destroy the freedom and independence of parliament. Some have bribed the electors, others the elected; some have used force, others artifice; and all have endeavoured, by every means in their power, to procure a house of Commons entirely at their own devotion. These arts, indeed, have sometimes miscarried, and sometimes succeeded; but whether they have miscarried or succeeded, the design has been equally criminal, though the event not equally fatal. For what Mr. Locke observes, in his treatise upon civil government, concerning the breach of trust in a prince, may be as justly and more strongly applied to a corrupt and despotic minister. "A prince," says that celebrated philosopher, "acts also contrary to his trust, when he
"either employs the force, treasure and offices of the society, to
"corrupt the representatives, and gain them to his purposes; or
"openly pre-engages the electors, and prescribes to their choice
"such, as he hath, by solicitations, threats, promises, or other-
"wise, won to his designs, and employs them to bring in such,
"as have promised before-hand what to vote and what to enact.
"Thus to regulate candidates and elections, and to new-model the
"ways of election, what is it but to cut up the government by the
"roots, and poison every fountain of public security? For the
"people having reserved to themselves the choice of their repre-
"sentatives, as a fence to their properties, could do it for no
"other end, but that they might always be freely chosen, and so
"chosen freely act and advise, as the necessity of the common-
"wealth and public good should, upon examination and mature
"debate, be judged to require.——To prepare such an assem-
"bly as this, and endeavour to set up the declared abettors of his
"own will for the true representatives and law-makers of the
"society, is certainly as great a breach of trust, and as perfect a
"declaration of a design to subvert the government, as is possi-
"ble to be met with."

But whatever may be the criminality or danger of such attempts, such is the tyrannical and violent disposition of most ministers, that they always have made, and, if some fresh expedient be not found out to check their encroaching spirit, they always will make them. In the arbitrary reign of king Richard II. the practice first began of *packing parliaments*; and the unconstitutional steps which that prince took to accomplish this
end,

end, were one of the principal means that deprived him of his crown, and, soon after, of his life. The example was followed by most of his successors, and by none more than by king *James I.* who, in the proclamation he issued for summoning his very first parliament, prescribed to the people what persons they should not choose; and he added, "if any person take upon him the place of Knight, Citizen, or Burgeis, not being duly elected, according to the laws and statutes in that behalf provided, and according to the purport, effect, and true meaning of this our proclamation, then every person so offending shall be fined or imprisoned for the same." But the people of that age were not to be frightened with a few big words. They chose several persons under the very predicament which the king had prohibited; nor was it without the utmost difficulty, that he was able to obtain some small concessions on that head from the parliament.

The same course was pursued by his son, king *Charles I.* and still more by his grandson, king *Charles II.* who, by the famous statute of *Quo Warranto*, had well nigh obtained the power of nominating all the representatives of all the boroughs in *England*. But this, with other arbitrary steps of the king, excited such a spirit of discontent in the nation, that the people returned such members as effectually thwarted the designs of the court; and the king finding it impossible to procure a parliament to his liking, continued, during the remaining part of his reign, to rule without parliaments.

But there is a more gentle, and yet a more efficacious method of destroying the freedom of elections, than force and violence; and that is, the more powerful expedient of bribery and corruption: for the people of *England* may be led, but cannot so easily be driven. This method, indeed, could not be employed, at least not to any considerable degree, by the English princes before the Revolution; for, what by the narrowness of their revenue, what by the rapacity of their ministers and mistresses, and what by their own prodigality and profusion, they never had it in their power to bestow any great sums in bribing the body of the electors. And so little were the parliaments of that age accustomed to see the house filled by these new-invented arts, that lord *Coke* mentions a person, who, having procured himself to be returned member for a certain borough, by giving 4 *l.* to the *Mayor*, was expelled the house with great indignation, and the *Mayor* sent to the Tower. Four pounds might, perhaps, in those times, be equal to forty pounds at present; but, notwithstanding this difference in the value of money, it must certainly be allowed to have been a very cheap purchase: for I dare say, that most of our modern borough-jobbers would think they had made a very good bargain, if they could obtain a seat in the house for ten times the last-mentioned sum. And if all the *Mayors* in *England*, who have lately received bribes for contributing their assistance towards securing the election of members of parliament, were to be sent to the Tower, I am afraid the Board of Works would be under a necessity of augmenting the number of apartments in that royal prison.

Nor is it only by destroying the freedom of election, that the freedom of parliament may be destroyed: that end may be as easily accomplished, after the members are freely chosen, by what is sometimes called *garbling the parliament*, or, as it is more commonly, though less properly, termed, *sweeping the house*. But it happens unluckily, upon these occasions, that our *political gardeners* proceed in a manner very different from *common gardeners*; for whereas these latter content themselves with pulling the

the *weeds*, and letting the *flowers* stand, the former, on the contrary, frequently root up the *flowers*, and plant the rankest *weeds* in their room. Menaces, of this kind, have been already thrown out very liberally against some particular members, who were chosen in opposition to the court-interest; and it is credibly reported, that several of our most noted borough-jobbers actually retained council, before the elections began, to defend these laudable practices; so that those, who are shut out of the house at the *fore-door*, may have a *back-door* opened to them, and may press themselves, as it were, into the service of their country.

I need hardly mention, as another most powerful engine for destroying the freedom and independence of parliament, the slavish subjection in which all those members are held, who enjoy any places or pensions from the government; for few princes are endued with that generous and heroic spirit, which animated our glorious deliverer king *William*, who allowed all his servants to speak and act in parliament, without any other restraint than what arose from the dictates of their own conscience. This appears evidently from the following circumstance, which I cannot pass over in silence, as it reflects equal honour upon the memory of that illustrious prince, and disgrace upon all those who regulate their conduct by the opposite maxims.

When Sir *Thomas Littleton* was treasurer of the navy, the court party proposed him for speaker of the house of Commons. Sir *George Rooke* took the liberty to oppose this motion; and alledged, for a reason, that it was impossible for the treasurer of the navy to give such a constant attendance in the house as the business of the chair required, without neglecting the duty of his other employment. As reasonable as the objection seemed to be, the ministers, at that time, resented it highly. They said, it was an unpardonable crime for any servant of the crown to oppose the king's measures—as ministers commonly call their own measures—and advised his majesty to dismiss Sir *George Rooke* from his service: but that great monarch, with equal wisdom and magnanimity, replied, that he would never discharge a brave, experienced admiral, who had always behaved well in his service, for no other reason than his conduct in parliament.

But of all the attempts that ever were made to destroy the freedom of election, and, of course, the independency of parliament, the late one relating to the *Middlesex*-election, was, at once, the most illegal, the most daring, and in the end, has proved the most unsuccessful. The whole power of the court, of the ministry, and of all their numerous creatures and dependents, was exerted on this important, this interesting occasion. The public money was scattered about with a profuse and unsparing hand, and offered, without count, and almost without stint, to every freeholder, who would sell his birth-right for a bribe; and in order to allow time for the poison to work, and to produce its full effect, the issuing the writ was purposely delayed to the last possible period. But what has been the consequence of all these mighty preparations? The consequence has been such, as must cover the ministry with shame and confusion; and in truth, their condition is so deplorable, that, were not their conduct as odious as it is ridiculous, I should be strongly inclined to pity them: for I am somewhat of Mrs. *Peachum's* opinion, that *it is a moving thing to see great men in distress*. Never, indeed, did any administration, since the accession of the august family of *Brunswick* to the throne, sustain such a signal and disgraceful overthrow, as was sustained by the present one on the 28th of March and the 14th of December; nor ever did any receive such mortifying

tifying and unequivocal proofs of the utter abhorrence in which their measures are held by the county of *Middlesex*, and in which they would be held by all the other counties in the kingdom, were these, as well as the county of *Middlesex*, acquainted with their proceedings. It is not to be doubted, however, but the noble spirit of Liberty, which has been happily raised in this county, will soon diffuse itself over the whole nation; and, in fact, I believe, it is already so diffused, that, were the parliament to be chosen next spring, as it was the last, the ministry would not be able to carry their elections in one third of the counties or boroughs in *England*.

With regard to the party of desperate ruffians, who were hired to go to *Brentford*, to maim, if not to murder, the free and independent electors, I shall only observe, that Sir *William* has now confessed his having hired such a party: he only denies his having given them orders to commit any outrages; but had not he, or his agents, given them such orders, it is not likely they would have been guilty of any violence. And had not the M—— been privy to the plot, or, at least, very willing to connive at it, we should certainly, e'er this time, have seen a proclamation in the Gazette for discovering the villains, in the same manner as we have seen one for discovering the person who carved number 45 upon justice *Capel's* door. But it is now, it seems, a more heinous crime to deface the door of a justice of the peace who happens to be a favourite of the court, than to deface, or even destroy, the persons of his majesty's liege subjects, who have given no other offence than refusing to sacrifice, at the desire of the ministry, their own liberties, and those of their posterity.

In a former number of this paper, I gave it as my opinion, that the massacre, perpetrated in *St. George's Fields*, was merely an act of ministerial vengeance against the freeholders of *Middlesex*, for having chosen Mr. *Wilkes* as one of their representatives in parliament. In the same paper, I expressed my apprehensions, that, if ever the freeholders should again commit, or seem inclined to commit, the like unpardonable crime, the M—— would find means to inflict upon them the same, or the like kind of vengeance; and the riot raised, and the cruelties exercised, at the election at *Brentford*, are, I think, a sufficient proof, that my apprehensions were well founded. These desperate banditti, however, these Irish rapparees may, perhaps, find, that the persons who employed them, however great, are incapable to protect them from the penalties of the law; and, indeed, if there be any person that is capable to protect them, the laws of *England* are already subverted. But, perhaps, it will be said, that the ministry have as good a right to raise a riot, as the weavers of *Spital-fields*, or the sailors of *Wapping*; a claim, to which I have not the least objection, provided it be, at the same time, allowed, that they are as well qualified, as these worthy gentry, to conduct the affairs of the nation.

Sir *William's* case is so truly pitiable, that it would be the height of cruelty to insult him in his misfortunes. He has been plainly no more than a tool to the ministry; and now, finding that he cannot serve their purpose, they will probably leave him to brood over his disappointment. But Sir *William* has not only been abused by the ministry: he has, if possible, been still more abused by a certain nobleman, who has no share in the ministry; and who, trusting, as usual, to the greatness of his fortune, the splendour of his rank, and the influence he possesses as lord lieutenant of a county, imagined he could lead the freeholders of *Middlesex* by the nose. But let him be content with exercising his

his sovereignty in his native county of *N-rth-mb-rl-nd*; the freeholders of *Middlesex* will be no longer his vassals. This nobleman's pride, I believe, is as much mortified, by the miscarriage of the poll, as that of Sir *William*; and his patience, it is certain, was put to a most severe trial on the night after the election, when some malicious rogues got into the belfry of the steeple of *St. Martin's in the Fields*, and rung him such a peal in his ears, as, I dare say, will make him hate the music of bells as long as he lives. Some people could never like the music of bells: his grace, therefore, may easily pretend, that he is one of that number.

There is one person more to whom I must pay my compliments; I mean the gentleman, who drew up for Sir *William* his second address, and wrote most of the letters that appeared for him in the news-papers. This, courteous reader, is no other than the celebrated author of the *Auditor*. I thought indeed, that he had been long since dead: I am sure his epitaph is to be found in the 35th Number of the *North Briton*. But, perhaps, the present heat of political altercation may, notwithstanding the inclemency of the weather, have recalled him into life, like many other insects of the scribbling species. If he has, therefore, been favoured with a resurrection, I wish he would draw his grey goose-quill, and defend the measures of the present M——, particularly the massacre in *St. George's fields*, and the riot at *Brentford*; for these, certainly, stand as much in need of defence, as ever did any measures of the favourite, which the Auditor defended with such strength of argument and such power of eloquence. His political abilities are universally confessed; and his learned dissertation upon the *Florida Turf* will remain a lasting monument of his geographical knowledge. D.

Though the following piece be somewhat foreign to the design of our paper; yet, as it contains the *Palinodia*, or recantation of a set of gentlemen, who are not over-apt to acknowledge themselves in an error, we could not decently refuse them an opportunity of giving the world such an instance of their candour.

The *Amende Honorable*; or humble CONFESSION, and APOLOGY of the *Critical Reviewers*, humbly shewing,

THAT *whereas*, in our review of the month of *November* now last past, in our censure of the funeral sermon preached by DR. FREE on the murder of Mr. Allen, we unfortunately advanced, that—"this preacher may be called the Drummer of SEDITION;"—we are now of opinion, that he cannot be so called consistently with propriety of speech, or with common sense, since upon recollection we find, that preaching is the action of the LIPS, and drumming of the HANDS, and that people never apply a drum to their mouths, but an instrument of another sort; and therefore we think that he should rather be called the trumpeter. And so indeed we should have called him at first, had not the drum in *St. George's fields* too much affected our heads.—However, by the appearance of this retraction, or after-thought, we humbly hope, that the publick will be convinced, that we are now capable of discovering the agreement or disagreement of our own ideas, and consequently that we are capable of judging of the compositions of other men.

Further and *whereas*, out of our perpetual enmity to the principles of the Revolution, we likewise unfortunately asserted, that the DOCTRINE of the said SERMON is so full of NONSENSE, that it unhinges the laws which keep civil society in safety, &c.—We are of opinion, that we have herein attributed too much to Nonsense, and made it too powerful: since, by our own experience, we are

now

now convinced, that *Nonsense* is something that is very weak. Nay, farther, as *Nonsense* is generally supposed to have no meaning ---for *Nonsense* is no sense, and no sense has no meaning---we are in consequence obliged to inform the Public, that in this particular we mistook our own purpose—our *real design* being to have shewn, that Dr. FREE had a meaning in every word, and a bad and seditious meaning, and that all his parallels from history are designed to draw resemblances of the present times, by reciting those that are past. And whereas this kind of writing by PARALLELS is of a libellous tendency, and was invented by PLUTARCH of Cheronæa, with a design to magnify the characters of people, who flourished under commonwealths; in which he hath never been followed by any writers, who were friends to the house of Stuart: we think it highly necessary, to prevent the growth of such principles, that the said PLUTARCH of Cheronæa should be hanged in effigy upon Mr. Allen's sign-post, and shot at by pickt men from some of the regiments of the Guards, as a terror to all the Whigs and Republicans passing and repassing upon the roads and highways in St. George's Fields.

And whereas the author of the SERMON has had the insolence to call those military executions MURDER, wherein we place the safety of civil society, and pretends that his SERMON is written in support of the SIXTH Commandment, we as politicians (for we have no Divine amongst us) think it expedient, that as the Papists have occasionally altered or omitted the SECOND Commandment, we as Jacobites, advocates for arbitrary power, should be allowed to take the same liberty with the SIXTH; and that instead of —“Thou shalt do no MURDER”—we might be permitted to read—Thou shalt do some MURDERS—By which means a justice of the PEACE might be empowered, on the spot, to say—Some men must be killed—without hazarding his neck for executing the general warrant of a S—— of St——e.

Consistently with this, and to make the scriptures subservient to our MAXIMS of government, as well as to our kind of religion; we would crave leave also to make a small alteration in that passage of the Proverbs of Solomon, chap. xiv. verse 16th, which evidently opposes itself to the wholesome doctrine of Massacres, and military executions, by saying—that in the want of people is the DESTRUCTION of the prince, which is capable of strange uses, and by report was intended to be put upon the tomb-stone of the deceased, as a lesson of king SOLOMON's to people wiser than himself. For all absolute MONARCHS and their abettors know, that massacres, and military executions of the subject, can never be justified but upon a contrary principle, as they always suppose the prince and the people to be at enmity—and therefore, in such case, the want of people to be the SAFETY of the prince—For then it is evident they cannot hurt him.

From this apology for the errors which we have committed, and acknowledgement of the GOOD PRINCIPLES which we entertain, the world may judge of our capacity: and we humbly hope, that this discovery of our TALENTS, added to our zeal for the present mode of government, and S——y measures of the ministry, will so far procure us the ESTEEM of the Public, as that we may be continued in the office we have assumed, of CRITICAL Reviewers, or PATENTEES for the only genuine, lying, Jacobite accounts of the characters of books and men.

From our board, at the table by the kitchen-fire, near the dark house, in Dark-house-lane, Dec. 2.

By ORDER of the Secretary,

F.

Sold by W. BINGLEY, opposite Durham Yard in the Strand. Where likewise may be had, any of the former Numbers, and complete Sets sewed in blue Paper.

THE

NORTH BRITON.

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SATURDAY, DECEMBER 24, 1768.

Concordiâ res parvæ crescunt : discordiâ Maximæ dilabuntur.

SADLUST.

To the NORTH BRITON.

SIR,

THE unhappy differences, which have long subsisted, and still subsist, between *Great-Britain* and her *American colonies*, must afford a subject of the most melancholy reflection to every one that wishes well to his country. Every state is happy or miserable at home, and respected or despised abroad, in proportion to the harmony or discord that prevail among its several members. The Roman state had long become the object of contempt and derision to the barbarous nations that surrounded it, before it was invaded by their victorious arms; nor did any thing contribute more to the success of these arms, than the spirit of discontent and disaffection to the government, which had unfortunately spread itself through all the different provinces. This spirit of discontent arose in the Roman state, as it ever did and ever must arise in all other states, from the avarice and rapacity of the great, who employed their whole study and attention in pillaging and oppressing the unhappy people; so that these last, unable to bear the burthens already laid upon them, and dreading every day to be loaded with new ones, chose rather to submit to the mild dominion of the *Huns*, *Goths*, and *Vandals*, than to endure any longer the intolerable tyranny of their old masters.

The same causes must, in all ages, and in all countries, produce the same effects; and Europe in general, and England in particular, seem, from the immense number and weight of their taxes, to be hastening fast towards that period, which preceded the fall of the Roman empire. For where is the necessity or convenience of life in this kingdom, that is not taxed, and taxed almost to the utmost?

utmost? True it is, we are still free from some odious taxes, to which the Romans were subject. We can still breathe the air, and make our water, without being obliged, as the Romans were, to pay a tax for every breath of air we draw, and every gallon of urine that passes us: two taxes, that must have been extremely oppressive, the first to asthmatic or consumptive people, second to those who were troubled with a diabetes, or were inclined to tittle.

But though we may still breathe the air, without being taxed for it, yet are we obliged to pay a tax upon our windows, through which the air passes; and if we still retain the privilege of making water duty-free; that indulgence is more than counter-balanced by the heavy duty we pay upon our liquors, before they are so transformed. In a word, we seem to have carried the expedient of taxing to the utmost pitch to which it can be carried; and having drained the veins of the body politic to such a degree, that we cannot drain them farther, without endangering the life of the unhappy patient, we want to try the same experiment upon the American colonies. These colonies, however, are in no disposition to undergo the operation. They plainly perceive, and, if they will not shut their eyes, they cannot help perceiving, that the English, though they enjoy the shadow of liberty, are now deprived of the substance; and that, by the infinite number and weight of the taxes, they are reduced to a state of absolute slavery under a few petty tyrants.

This melancholy situation of the English must naturally excite the compassion of the Americans, and might, perhaps, induce them to lend a helping hand towards relieving them in their present distresses; but it cannot be supposed to have such an effect upon them, as to make them willing to be involved in the same kind of calamity. And yet that they would be involved in the same kind of calamity, without affording the English any other comfort, than that of having the Americans for their companions in misfortune, they have not the least doubt, should they submit to the taxes lately laid upon them; for they very well know, as well by recent as antient example, that hardly any tax, that has once been imposed, has ever been repealed, or even diminished, but has always increased, and generally furnished pretences for imposing new ones; like the fox in the fable, who, having, by the most earnest and humble entreaties, obtained room to put his head in, soon found means to thrust in his whole body.

Such, I am convinced, are the principal reasons, that have rendered the Americans so extremely averse to be taxed by the authority of the British legislature. It is not for much, I will venture to affirm, an apprehension of thereby losing their constitutional rights, as the fear of being oppressed like their brethren in England; though even what they say in support of their constitutional rights, has more force and solidity in it, than most people imagine.

They say, and with great show of reason, that when their forefathers settled in the wilds of America, they obtained from the crown the most explicit charters, empowering, as they saw fit, to levy

levy taxes upon themselves: and that no other power has any just right to exercise over them the same kind of authority. It is in vain pretended, that these American charters are no better than the charters granted to corporations in England. The cases are very different. The corporations in England send members to parliament, which cannot, by any means, be said of the Americans.

They likewise say, that, as they are British subjects, they ought to enjoy all the privileges of such subjects; one of the most essential of which is, that none such can be taxed but by his own consent, either given personally, or by his representative; and that, as they have no representatives in the British parliament, they ought not therefore to be taxed by it. To this it has been answered, that they may have representatives, if they will; and even supposing they should have no representatives, yet is not their condition, in this respect, worse than that of thousands in the island of Great-Britain, who, in their present situation, neither have, nor can have, any share in the election of members of parliament. But the Americans reply, that, considering the vast distance at which they are placed from the seat of government, and a variety of other circumstances, it is impossible for them to have any representatives in the British parliament; and that there is no comparison to be made between the condition of a small, or even a large number of people in Great-Britain, who, in consequence of their being neither freeholders, citizens, nor burghers, have no share in the choice of members of parliament, and that of a whole community, who, though a dependent, are yet a distinct people, and are possessed of a legislature, capable of imposing taxes, and of making all kind of laws, that are not inconsistent with the laws of England.

They further alledge, that, even granting a large part of the inhabitants of Great-Britain are not represented in parliament, yet every member of the legislative body of Great-Britain must pay his share of every tax he imposes upon his fellow-subjects in Great-Britain; whereas the case is quite otherwise with regard to America: he there lays upon the people taxes of which he himself bears not even the smallest share. To this objection I have never yet heard any answer given; and, in truth, it seems to be altogether unanswerable. Passing from matters of right to matter of policy, the Americans argue strongly against the expediency of imposing internal taxes upon them. They have hardly money, they say, to carry on their trade, and still less to pay taxes; and their commerce is so confined and restricted by numerous and severe acts of parliament, that all the wealth they gain by their traffic is found ultimately to center in Great-Britain.

Sir Robert Walpole too seems to have been of the same opinion; for, when warmly pressed by one of his contemporaries to tax the American colonies, he replied, he would leave that measure to some of his successors, who might be more courageous, and less a friend to trade, than he was. He was glad, he said, to hear that the colonies thrived; for he would venture to maintain, that if, in any supposed time, they acquired one or two millions of money, that sum, in a much shorter space, would infallibly find its way to Great-Britain.

But.

But, whatever may be the arguments which the Americans publicly urge against submitting to be taxed by the British legislature, I am firmly persuaded, as I observed above, that their real motive is a well-grounded apprehension, that, should they submit to it, they would come, in time, to be loaded with the same grievous and intolerable burthens, under which, from the rapacity of placemen and pensioners, their unhappy brethren in England are now heavily groaning and almost expiring. The ministry, it seems, having overstocked the revenue with the numerous train of their creatures and dependents, would willingly find out some fresh pasture for the additional herds that are constantly pouring in upon them; who, with hungry looks and lank bellies, may be daily seen in all the avenues about St. James's, praying most fervently for the arrival of that happy time, when they shall be permitted to fatten on the spoils of their country. Meanwhile, they live upon credit with their taylor, their landlord, and the publican, whom they promise, upon their honour, to pay most punctually, whenever they get their places, which they constantly declare will be in a day or two; and which yet I firmly believe, with regard to the greatest part of them, and sincerely wish with regard to all of them, may be *ad Græcas Calendas*.

The ministry, however, finding it impossible, with all their art and industry, to provide for these expectants in Great-Britain, would gladly quarter them upon the American colonies. But these colonies shew no great inclination to be visited by such ungracious and disagreeable guests. They have too frequently heard of the depredations they have committed in this island, to wish to subject themselves to the like peculation. In a word, some of the Americans describe these licensed banditti in as strong and expressive terms, as if they had beheld all their acts of injustice and rapacity in Great-Britain. This is remarkably the case with one particular gentleman, who, in a letter from Boston to his friend in London, says: "The appointment of a board of customs, to be supported with large and multiplied salaries, out of this unprecedented, and, we had almost said, pilfered revenue, is another, and capital grievance, of which we have ample grounds of complaint. Their commission is purely novel; the enormity and extent of their powers truly formidable: yet, though so enormous and extensive are their powers, the even arbitrary use, or rather abuse of them, we have, for many months past, beheld increasing upon us with consternation. The haughtiness and insolence of their deportment in office, the state they assume, and the number of their attendants, have given us a lively idea of Eastern monarchy; but not the less irritating from the mortifying reflection, that all this is upheld by gold and property cruelly filched from the very vitals of an impoverished people. Access even to majesty itself, it is said, may be easier obtained in Great-Britain, than to the simple Board of Commissioners for the American plantations in Boston. Useless and expensive as is this set of crown dependents, their weight and influence, we imagine, become daily more powerful and extensive, from the creation of a numerous swarm of inferior officers and placemen under them, who

“ who also must all have their respective stipends and salaries out of the *booty* thus *drained* from the merchant and the mariner, the farmer and the tradesman.”

Such is the opinion, which the Americans entertain of their new revenues and revenue-officers; and is it to be supposed they can give a favourable eye either to the one or to the other, while they paint them both in the most odious colours? In good earnest, the only way to reconcile the Americans to any tax imposed upon them by the British legislature, is to effect a total reformation in the method of imposing and collecting our own taxes, and of distributing the public money. Let all taxes be repealed except such as are absolutely necessary for defraying the expences of government: let the remaining taxes be collected with the utmost frugality, and the money laid out with the most rigid economy. Let no taxes be continued or imposed merely with a view to fill the pockets of pensioners and placemen, and find posts and employments for the pimps, parasites, and bastards of every profligate minister. And, indeed, it is shrewdly suspected, that this is the case with the present revenue-act in America. For it was publicly declared by lord H. in a certain august assembly, that that tax, after defraying the charges of collecting, would not bring in to the government above 8000 l. a year. I suppose the Americans will pay four times the sum. The five commissioners, besides the perquisites of their places, are to swallow up among them 2500 l. Let us not employ such an immense number of civil officers in levying our taxes, as, upon a moderate computation, are thought to consume more than goes to the maintenance of our army and navy. Let not our ministers enjoy, some of them four thousand pounds a year, some of them six thousand, some of them eight thousand, some of them ten thousand, and one or two—*nobody knows what but the happy possessors*. In a word, let government be the noble struggle of patriots, who shall best promote the interest of their country, and no longer the fierce contention of ———, who shall secure most of the public plunder. Let matters once be put upon this footing, and the Americans, perhaps, may be brought to submit to taxes imposed upon them by the British legislature. Without such a reformation, indeed, we may compel their obedience; but with such a reformation, and such only, can we expect their ready compliance.

After all, however, it is more than probable, that the Americans would not have proceeded to the lengths they have done, in opposing the authority of parliament, had they not been provoked by some bitter and virulent expressions, as well as by some very severe, not to say tyrannical, actions. A minister, when he speaks in his master's name, should never use any but the most mild and moderate terms: if he does otherwise, he at once prostitutes the dignity of his own character, and that of the august personage whom he represents. But the E— of H——, speaking of the circular letter, wrote by the province of Massachusetts Bay to the other colonies in North America, says, that it “ was a measure of an inflammatory nature; that it tended to create unwarrantable combinations, to excite an unjustifiable opposition to the authority of parliament, and to subvert the true principles of the constitution.” He elsewhere calls it “ a flagitious attempt to disturb the public peace,” and denominates the gentlemen who wrote it, that is, the representatives of the province, “ a desperate faction.”

But

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I can only recollect one instance somewhat similar to this in the English history; and that is the speech of king Charles the First at the dissolution of the parliament in 1628, where his majesty, amongst a variety of other harsh expressions, branded the leaders of the lower house with the appellation of *Vipers*. Lord Clarendon, mentioning this very speech, says, that such asperity of language had never been made use of from the throne to the parliament before that time, even in the most arbitrary reigns, such as that of king Henry the Eighth; and he laments the fatal effects which it had upon the nation.

But the ministry did not confine themselves to words: they proceeded to actions; and their actions unhappily were perfectly of a piece with the severity of their expressions: for upon the assembly of Massachusetts Bay refusing to comply with their arbitrary mandate to rescind a resolution of a former session, they instantly punished it with a dissolution, or political death, though I hope it will soon revive, with fresh life and vigour. In a word, during the whole progress of the present dispute between Great-Britain and her American colonies, and of that jealousy and misunderstanding which are daily gaining ground between the court and the country, the ministry seem industriously to have taken every step which could widen the breach, or inflame the animosity of the contending parties. But these, I doubt not, with other parts of their conduct, will become the subject of enquiry in another place; for, to conclude with the words attributed to E— B—, Esq. I trust they will find this not a complimenting, but an inquisitive, penetrating, and avenging parliament. I am, Sir, your's, M.

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By inserting the following short letter in your patriotic paper, you will greatly oblige many of your readers, and particularly your real friend,

AN OLD LOYAL BOROUGHMAN.

To the worthy and loyal inhabitants of the Borough of Southwark.

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As many of you are sensible how grossly you have been insulted lately by a certain Justice of the Peace, well known to, and residing among you, who, upon his being asked by a S—y of S—e, how you stood affected to the g—t? declared, that you were all so ripe for r—b—n, that, upon the sound of a trumpet, or the blowing of an horn, you would rise to a man. As this scandalous reflection must affect you very materially, you ought not to let it remain without your animadversion. I therefore hope, in justice to yourselves, that you will soon appoint a public meeting at the Town-Hall, to consult on a proper method to clear yourselves of such a false and wicked aspersions, and to expose the base calumniator.

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To the PUBLIC.

A REPORT having been maliciously propagated, that Mr. Bingley, the publisher of this paper, had submitted to answer interrogatories; and that he had brought Mr. Wilkes into a dilemma, in which the enemies of that gentleman imagine (though without foundation) that he is now involved; Mr. Bingley thinks it his duty to declare, in this public manner, that every circumstance of the above report is absolutely false and groundless. The truth is, he entered into recognizances himself, and sureties in 1200*l.* for his appearance only, in the court of King's Bench, the first day of next term; but he neither did, nor will ever enter into any recognizance to answer interrogatories, till the legality of that mode of proceeding is established on a more solid foundation than at present. With respect to his authors, supposing he had fifty concerned, he has not given up, nor will he ever give up, one. He has not been, and he hopes he never shall be, the means of bringing any gentleman into the least dilemma.—How this report first took rise and gained credit, the public will easily understand, when informed of the following particulars: The evening of the day he was discharged from confinement, a paragraph appeared in the *London Evening Post*, containing the account of his discharge, together with the conditions of it. The public papers of the next morning literally copied it from the *London Evening Post*, except the *PUBLIC LEDGER*; in which paper, instead of the above paragraph, one was inserted, importing, that Bingley had been discharged from his confinement upon his submitting to answer interrogatories. Bingley waited on the printer of the paper, told him the paragraph was false, and desired him to insert another, which he would send in contradiction to it; but instead of what Bingley sent, (which contained only *simple fact*) one was inserted to the following purport, “Mr. Bingley says, he has not submitted to answer interrogatories, &c.” thereby *basely and disingenuously insinuating*, that the only authority which the printer had, or public could have, for the truth of this assertion was, Bingley's bare word, which might or might not be believed as the public pleased.

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*An Extract from The St. James's Chronicle, of Saturday,
December 10, 1768.*

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St. James's, April 17, 1768.

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measures which you shall, in conjunction with the other gentlemen in the commission of the peace, take, upon your meeting, and much is expected from the vigilance and activity with which such measures will be carried into execution. When I inform you, that every possible precaution is taken to support the dignity of your office; that upon application from the civil magistrate at the Tower, the Savoy, or the War-Office, he will find a military force ready to march to his assistance, and to act according as he shall find it expedient and necessary, I need not add, that if the public peace is not preserved, and if any riotous proceedings, which may happen, are not suppressed, the blame will, most probably, be imputed to a want of prudent and spirited conduct in the civil magistrate. As I have no reason to doubt your caution and discretion in not calling for troops till they are wanted; so, on the other hand, I hope you will not delay a moment calling for their aid, and making use of them *effectually* where there is occasion; that occasion always presents itself, when the civil power is trifled with and insulted; nor can a military force ever be employed to a more *constitutional purpose*, than in the support of the authority and dignity of magistracy. I am, &c. * * * * *

P. S. I have, for the greater caution, sent copies of this letter to the members for the Borough, and Mr. Pownall. If you should have received no directions from lord Onslow for a Meeting, you will consider this as sufficient authority for that purpose.

*Daniel Ponton, esq. Chairman of the
Quarter-Sessions, at Lambeth.*

*To the GENTLEMEN, CLERGY, and FREEHOLDERS of
the County of MIDDLESEX.*

GENTLEMEN,

IHOLD myself accountable to you for every action of my life, which respects the public. I desire to stand or fall by your free and unbiassed judgment. I wish to be directed by your counsel and instruction in all matters of importance. It is my great ambition to shew myself not quite unworthy of the choice you have made of me as your representative, nor of being the colleague of the worthy patriot, Mr. GLYNN, whom I thank you for having joined with me in this sacred trust.

I take the earliest opportunity, gentlemen, of stating to you the following particulars. I caused to be printed and published in the St. James's Chronicle of December the 10th, a letter of the Secretary of State, written from St. James's on the 17th of April to Mr. Justice Ponton, with some prefatory remarks. I avow the publication of both. I will go further, and declare that I first, several months ago, transmitted to the press the letter of the Secretary at War, dated May the 11th, returning thanks in the King's name to the officers and soldiers of the third regiment of Guards, for the rank and foul murders committed in these fields on the 10th of that month. My hand trembled, while I copied what I blushed to read, and I gave it to the public in the only way my present situation could admit, with the hope of promoting a parliamentary enquiry into that bloody transaction, which I trust this second publication will now accomplish, and because I think this free nation has a right to be fully informed of the conduct of administration in so important a concern, as the loss of the lives of many subjects.

Administration complains of me for having published the letter of the Secretary of State. I complain to the nation that such a letter has been written. This is not a letter on any personal business or pleasure. I would have scorned to have published any such. This letter was from a Secretary of State to the Chairman of the Quarter Sessions at Lambeth, and is written in characters of blood. It affects deeply the constitution of this country, and every man in our island. I will at present leave it to the honest indignation of every Englishman. I shall now only add, that if I have not given to the public a most accurate and faithful copy, I ask pardon of the Secretary of State. If I have, then I will say, that for the innocent blood of our countrymen spilt in consequence of that letter, the writer ought to ask forgiveness of God and his country, and pass the remainder of his life in penitence and tears. I am,

With great deference and esteem,

GENTLEMEN,

Your faithful and obedient

Humble Servant,

*King's Bench Prison,
Saturday, Dec. 17, 1768.*

JOHN WILKES.

Sold by W. BINGLEY, opposite Durham Yard in the Strand. Where likewise may be had, any of the former Numbers, and complete Sets sewed in blue Paper.

NORTH BRITON.

NUMBER LXXXII. (or XXXVI. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

SATURDAY, DECEMBER 31, 1768.

SOME parts of the following letter have already appeared in print, but in a very irregular and detached form. It has never yet been presented to the public in one complete and connected view. It contains a concise, and yet a distinct and impartial account of Mr. Wilkes's public conduct. And as it highly concerns that gentleman, as well as all the lovers of liberty, that the world should be informed of every circumstance of his public behaviour, especially at a time, when, on account of his standing candidate for the ALDERMANSHIP of FARRINGTON WITHOUT, all the arts of ministerial malice and falsehood will be employed against him, we thought we could not, from our own fund, or the liberal contributions of our numerous correspondents, furnish any thing that could contribute more to the entertainment or satisfaction of the reader, than this very sensible and spirited letter.

A Letter on the Public Conduct of JOHN WILKES Esq.

Τὴν ἐλευθερίαν το καλλίστην καὶ περιμαχίματάτον ἀθλον.

PLUTARCH in the life of T. Q. Flaminius.

SIR,

AFTER the great variety of pieces, which to this hour have appeared for and against Mr. Wilkes, that subject does not seem yet exhausted, nor indeed is every particular of importance relative to his public conduct hitherto known and authenticated. I say, Sir, public conduct, for I am entirely of opinion with ***** who declares, "I do not think myself at liberty to scan the private actions of any man, but have a right to consider the conduct of every man in public, and to approve or to condemn his doings, as they appear to me to be calculated, either for the good or the hurt of his country." A letter concerning libels, warrants, &c. first published in 1764. I shall not now stay to shew how far the equity of this rule was violated by the concealed author himself before he got half through his pamphlet, in a manner equally indecent and unjust to a sick and absent friend, whom he basely wounded; but after the long harvest, which, you Sir, and your brother authors and printers have made of Mr. WILKES, I shall venture to offer you a few tolerable gleanings.

The

The public, Sir, have a right to ask why Mr. Wilkes did not personally attend the trials for the republication of the North Briton, No. 45, and the Essay on Woman, as he did all the actions brought by the printers apprehended under the general warrant. We ought likewise to be told why he was not present in the house of commons, when the charge against him was heard on the 19th of January 1764. The justice of the nation, and his own personal honour, demanded his appearance. He had made an appeal to his country, and the cause of liberty had a particular claim on a man, who had pledged himself in its defence. He was prevented, not by fear, to which I believe him a stranger, but by a prohibition from the highest of all powers, by a dangerous illness. Towards the end of December 1763, he went during the recess of parliament to pass the holydays with an only daughter, who was at Paris for a part of her education. That journey being generally made in four days, often in three, the distance was of no consequence, since in so short a time he could hear from his friends. He was seized at Paris with a violent fever. A considerable inflammation, with other bad symptoms, attended the dangerous wound he received in a duel with Mr. Martin. In this condition he transmitted to the speaker, on the 11th of January 1764, an original certificate of his ill health, signed by the French king's physician, and a surgeon of his army. He requested in the letter a more distant day, that he might have it in his power to attend the discussion of points, so very important in themselves, and in which he was so materially concerned; but the decree of expulsion had passed the lips of the Scottish minister to his slaves, the ministers of the day, to whom for a short time he had delegated his omnipotence. They were empowered in a proper manner to persuade the same famous majority in the lower house, which had been induced to approve the peace of Paris, and in the first year of it to establish the late detested excise on cyder and perry, not only to expel Mr. Wilkes, but likewise to vote him the author of the North Briton, No. 45, without the oath of any witness, or the shadow of legal proof. According to the constitution of England this being a fact, ought to have been tried by a jury of twelve men, and not enquired into by witnesses at the bar, who were not sworn. This direct attack on the rights of their countrymen in so important a point as the trial by jury, would have surprized the world in any other body of men, but these had before voted away their own privileges, or rather the privileges of the nation, for they are strictly the rights of the constituents, who confer them on their representatives in parliament.

The constitution gives privilege of parliament * as one of the best barriers against the violence of the crown, which might otherwise, in an important moment, in the last noble struggle of expiring liberty, seize not five, as a former Stuart would have done, but five hundred, deputies of the people. They had done this in so intricate and doubtful case, as that of a real or pretended libel. They even went so far as to thank the crown "for the tender regard expressed for the privileges of the house" in the case of Mr. Wilkes, although the court of common pleas had unanimously released him, because his imprisonment was a violation of the privileges of the same house, and those judges on oath were obliged

* "It was not made to screen criminals, but to preserve the very life and being of parliament; for when our ancestors considered, that the law had lodged the great powers of arrest, indictment, and information, in the crown, they saw the parliament would be undone, if, during the time of privilege, the royal process should be admitted in any misdemeanor whatsoever, therefore they except none. Where the abuse of power would be fatal, the power ought never to be given, because redress comes too late."

"A parliament under perpetual terror of imprisonment, can neither be free, nor bold, nor honest; and if this privilege was once removed, the most important question might be irrecoverably lost, or carried by a sudden irruption of messengers, let loose against the members half an hour before the debate."

Lords' Protest. 29 Nov. 1763.

to

to consider the privileges of parliament as a part of the law of the land. I suppose their decision in his favour against the two lords of his majesty's most honourable privy council, and principal secretaries of state, who both signed the warrant of commitment, is now acknowledged to be legal, for the president of that court, who delivered their opinion and his own, has since been promoted to the first dignity of the law, and is at this hour lord high chancellor of Great Britain. In other instances, notwithstanding the clear precedent on their own journals, of a chief justice impeached for "having in an arbitrary manner granted divers general warrants for attaching the persons, and seizing the goods of his majesty's subjects," the express vote "that the searching and sealing of the chambers, studies and papers, of members of parliament, and issuing out warrants for that purpose, are breaches of privilege," and the remarkable case in point, "that Mr. Laurence Whitacre, being a member of parliament, and entering into the chamber of Sir John Elliot, being likewise a member of that parliament, searching of his trunks and papers, and sealing of them, is guilty of a breach of privilege of parliament," and Mr. Wilkes had, on the very first day of the sessions in 1762, made a complaint against the under-secretary, Mr. Wood, the solicitor of the treasury, Mr. Webb, &c. and all the facts were of public notoriety, yet the majority, on the 14th of February 1764, arbitrarily voted that the complaint against them should be discharged, yet without any declaration of their reasons for so strange a proceeding, or asserting the innocence of the parties under so heinous a charge. The cruelty of Mr. Wilkes's treatment in the Tower, to which he was committed a close * prisoner even for a misdemeanor, and the suffering no person for three days to come near a member of parliament to bail him, although committed for a bailable offence, were likewise entirely overlooked by a majority, glorying in a blind submission to the inhuman dictates of a cruel, despotic, and remorseless minister. Thanks to the wisdom of our ancestors, who planned the noble constitution of this country, that house of commons is now dead, but the memory of their infamy is immortal. They were suffered to die a natural death, although they had long survived the good opinion, and totally lost the confidence, of their masters. No age produced so great a number of profligate and prostitute senators. After the total loss of the liberties of Rome, Tiberius did not find a senate so slavish, and even the pensionary parliament of Charles II. must now cease to be the most infamous in the annals of England.

Mr. Wilkes continued very ill during the months of January and February, nor was he tolerably recovered till the end of April. He seldom ventured abroad even in March that year. The majority had made a pretence that the certificate of his bad state of health was not authenticated before a notary public. He therefore, in vindication of his honour, transmitted to the Speaker, on the 5th of February, a fresh certificate, which proved that the former was in the due form, and gave the particulars of his illness to that day. This was attested by two notaries public, and the English ambassador. The trials in the King's Bench however, came on the 21st of February, the alteration of the records having been made only the day before. The next French mail brought to him, languishing in bed, as a balm to his wounds, an account of the surprizing transactions of those two days, although, by the preceeding post, he had received the most positive assurances that the trials were put off, together with copies of counter-notices, signed Summoning Officer, which had been sent to several of the jury. Could he have known the records would be altered after he had pleaded, he would certainly have given orders not to make any defence, and have sought a constitutional remedy. The proceeding

* "The law of England appoints imprisonments "in custodiam, not in "pœnam," acknowledges no close imprisonment, whereas I was kept with the "most extreme rigour."

Algernon Sidney's apology in the day of his death. Page 173.

to trial under such circumstances, when his solicitor had protested against the alteration, shewed how determined his enemies were at any rate to make sure of his conviction. If the alteration had not been made, the original records were too loose and vague to have convicted him. The information must have been quashed*. Could he suspect the alteration, which was deferred almost to the last hour? Lord Mansfield personally went through the whole of this business. The alteration of the records was made under his immediate inspection at his own house, and he tried both the causes. The false and cankered Scot, whose pestilential breath blasted all our warrior's laurels, now exulted, and thought his subtle countryman had made him for ever safe from the most dangerous of his enemies, for that Mr. Wilkes had received the coup de grace by the two verdicts, and the out-lawry, which probably would follow. Could Lord Mansfield have imagined that Mr. Wilkes would dare to return to England, I believe he would neither have tried the two causes himself, nor have ventured upon the alteration of the records.

The first plan of the Scottish minister's revenge was still deeper laid. A complaint had been purposely made to the house of lords by the B—— of ——, that the name of —— had been put to some notes of the Essay on Woman. The b—— in this affair was, however, only co-adjutor to a lay lord, homini post homines natos turpissimo, sceleratissimo, contaminatissimo, [the most base, the most wicked, and the most profligate of men] who first moved the complaint, so much to the astonishment of his brother peers, that one of them said, "He never before heard the Devil preach a sermon against sin." It had therefore been determined, that, after the expulsion from the House of Commons, which was already bargained for, he should be committed to Newgate, on this pretended breach of the b——'s privilege, and continue there till a verdict was found against him. He would then be in safe custody to receive the sentence of the King's Bench. The success of this ministerial craft was certain, had Mr. Wilkes been in a capacity of returning to England at the beginning of the year 1764. When he was able, after the two trials and the expulsion, if he had returned during the lawless rule of an administration, which had sacrificed the liberties of the subject, and even their own security, to gratify the favourite's lust of revenge, he ought to have lodged in Moor-fields. He carried on steadily all this time the causes against lord Halifax, and they were only suspended by his out-lawry, which took place in November 1764. The day on which the Writs of Error were allowed in 1768, he resumed the attack; and I believe his lordship will not now be much longer able to mock the justice of the nation. On the changes of the ministry in 1766, with pleasing, but delusive hopes, he twice

——— review'd his native shore,

Much fam'd for gen'rous steeds, for beauty more,
as old Homer says of Greece, and is equally true of England; but one of the ministers wanted the power, and the other the will, to do him justice. The Marquis was, in his heart, the warm friend of liberty and his country. The Duke was the friend of——Nancy Parsons's friend.

* "The common opinion among lawyers has always been, that no judge, in a criminal proceeding, ought to know any thing of the record before the trial comes on, unless one of the parties in open court move something thereon; because a judge is to be unprejudiced and impartial. The making of an immaterial alteration in any chamber would be folly, the making of a material one without consent, seems to be injustice, seeing it might prevent and remove an objection fatal after trial, in arrest of judgment. And what attorney in his senses would complain to any court against the president in it? I challenge this sophist to produce one adjudg'd precedent of such an alteration. His supposition of there being no difference in legal signification between the words tenor and purport is grounded in ignorance; the former having been determined to import an exact recital, and the other only the general meaning and effect, of any deed or paper. For which reason the first has been held to be sufficient, and the other insufficient, to ground a conviction." *Postscript to a letter, &c. p. 114.*

Mr. Wilkes was out-lawed for contumacy, in not appearing to receive sentence. The courts of law have always looked on out-lawries as odious. The process of out-lawry is to compel an appearance: as soon as an appearance is made, the court ought to be satisfied. When therefore he came into the court of King's Bench, and declared an entire submission to the laws of his country, it was most natural to imagine the out-lawry would have fallen of course, sentence been pronounced, and the law fully satisfied. His council insisted on this, and likewise pointed out many defects in the form of the out-lawry, which proved it erroneous and invalid. He had appeared, and declared himself the person, against whom two verdicts were found at that very bar; but the most ridiculous, the most farcical scene imaginable followed. The judges; CREDITE POSTERI! [Will posterity believe it?] agreed not to know him, and he was suffered, notwithstanding the two convictions on record, together with an out-lawry, to depart the court of King's Bench in as full security as any of the numerous and astonished spectators. It was then the determination to have continued the out-lawry. The speech delivered by Lord Mansfield on the reversal was composed, or rather translated from the Latin, about that time, evidently as an apology for the establishing of it. A week after this, Mr. Wilkes sent to the sheriff's officer to execute the *capias utlagatum* upon him at a fixed hour in his own apartment. He attended the officer into court the same morning, on the 27th of April, but it was not till the 9th of June, when the out-lawry was reversed. It was then at last declared originally null and invalid. This long delay was the more extraordinary, because by his express orders the council had refused to argue that point any more after the first hearing, although pressed to it by the judges. His reason was, that the public had declared an entire satisfaction in the state of the argument, as left by Mr. Serjeant Glynn. Lord Mansfield reversed the out-lawry merely on an error stated by the serjeant in the form, not on the large and liberal ideas of law and justice, on which the greatest stress had been laid in the pleadings. This defect was the omission of two words, *PRO COMITATU*, [for the county] Mr. Wilkes, however, I believe, owes the reversal of his out-lawry to no legal pleadings, no subtle arguments, or nice distinctions, to no pretended failure of form where no form whatever is prescribed, but to the temper and high spirit of the times, to the people of England in general, more than to any one man. He has the most essential obligation to the nation at large, not to the kindness of any particular.

The little piece of chicane I have mentioned in the English law is only to be paralleled by a similar nicety among the Romans, which gave the pretext to a like reversal of the proscription of Cicero. The law against him was bad grammar and false Latin, for the tense was mistaken. It was drawn by Sextus Clodius, the Wedderburne of the Roman bar, but instead of *INTERDICATUR*, [that he be forbidden] it was *INTERDICTUM SIT*, [that he might be forbidden] which Cicero declares rendered it null. At *quid tulit legum scriptor peritus, callidus? Velitis, jubetis, ut M. Tullius aqua et ignis interdicatur? non tulit ut interdicitur: quid ergo? ut interdictum sit.* [But what did that learned and crafty lawyer, who drew up the bill enact? Are ye willing and do ye decree, that M. Tullius be forbid the use of fire and water? He did not say, that he be forbid, but that he might be forbid.] Afterwards he observes, *quid si iis verbis scripta est ista proscriptio, ut se ipsa dissolvat? [What if this proscription be conceived in such terms, as render it absolutely null and void?] He gives the reasons at large, quod factum non est ut sit factum, ferri ad populum, aut verbis ullis sanciri, aut suffragiis confirmari potest? &c. &c.* [Can that which is not done as it ought to be done, be referred to the people, or ratified by any words, or confirmed by any votes?]

I shall now, Sir, give you my opinion on another point of importance among the charges brought against Mr. Wilkes. He is said to have spurned

spurned at all law and government, to have raised and fomented the riots and tumults, so frequent of late years in this kingdom. The whole of his conduct demonstrates the injustice and malice of this charge. The distractions and confusions in all public affairs spring from a very different cause, from the general discontent of the people, who, in the fatal effects, observe and smart for the unhappy influence over the sovereign of a free country, which a man has obtained, "who wants wisdom, and holds principles incompatible with freedom," as Mr. Pitt said, although he has been contradicted by lord Chatham. Mr. Wilkes has irreproachably the merit of a good subject, for he has always paid a due respect to the laws, a reverence to the constitution, an obedience to the power of the magistrate, and to all just authority. Under repeated oppressions by the hand of power he has only sought the legal redress. He has claimed the protection of the laws against acts of injustice, violence, and ministerial robbery. The laws have fully justified the appeal. His enemies have been convicted of many atrocious, illegal acts, and condemned by more than one sovereign court of justice. He is indeed, Sir, a man "more sinned against, than sinning." After the sharpest provocations, the conduct of Mr. Wilkes has been cool, temperate and prudent. When he was released from the Tower, he went soon into a retired part of Surry. He visited his friends in the city, after that triumph of the laws in his person over ministerial tyranny, only in the most private manner, to avoid every possibility of a tumult among the people, who thought him greatly injured, and had warmly espoused his cause in gratitude to a man, qui libertatem civibus stabiliverat, [who had confirmed the liberties of his fellow-subjects] in Tully's phrase. He did not make a vain, foolish progress through several counties, like the mad Tory parson in queen Anne's time. He went only once into Buckinghamshire, and he chose the king's birth-day for the time of his coming among his constituents at Aylesbury; that the rejoicings on his return to them might distinguish that auspicious day. On the occasion he gave an entertainment to the Borough, after which he returned to town.

The same spirit of moderation and prudence dictated all his future measures, and he studiously avoided every thing which could inflame. Since his last return to England, the City and Middlesex elections have given fresh proofs of his love of decency, peace, and order. He exerted himself during the whole time of the poll at Guildhall to preserve the peace of the city, and his last words on quitting the hustings were, "Gentlemen, I recommend it to you in the strongest manner to exert yourselves to preserve the peace and quiet of this great city." That attention to the public good in such a moment of humiliation to an unsuccessful candidate, carries with it in my idea particular merit, but the action, by which it was followed, gives it great lustre. The livery in general had been disgusted by the partiality of the first city magistrate, and irritated by the ministerial orders to vote for their creatures, which were issued from some of the boards. Those orders had appeared in most of the public prints. The people were fully informed of every transaction. They thought the election unfair from the beginning, and were farther provoked the last day at the shutting the great iron gates during the time of the poll, by which many of the livery were prevented getting into the hall. It was believed that they intended at the close, before the numbers could be cast up and proclaimed, to have seized and destroyed the poll books, that the whole proceedings, which they considered as irregular, might be void. The moment of the clerks delivering the poll books to the sheriffs on the hustings, in order to be cast up by them, was to have been the signal. Mr. Wilkes was informed of this, and he prevented it by retiring as soon as the poll was finished, before the books could be cast up, even by the clerks, and delivered. The greater part of the people, as on the former days, followed Mr. Wilkes. All the other candidates remained in the hall with their friends, the sheriffs proceeded to cast up the books, and the declaration of

of the numbers on the final close of the poll was by this prudent measure made with very little confusion. The former days of the poll Mr. Wilkes had attended the casting up of the books, even by the sheriffs, and the affixing of the numbers for public inspection at the upper end of Guildhall. One of the successful candidates thanked him publicly, as he was retiring from the hustings, for the excellency of his conduct.

The Middlesex election furnishes another proof of the care Mr. Wilkes has taken to maintain decency and good order. A great riot was apprehended, which seemed to be the favourite, and indeed then became the only, resource of the other party. The out-lawry subsisting, they had with the basest views most falsely and infamously asserted in the public papers, that he might be killed like a wild beast, and ought to be shot like a mad dog; that such an action would be not only innocent, but meritorious. He dispersed through the county many thousand addresses to the freeholders, entreating their assistance for the preservation of the public peace, without a hint of his private safety. He might certainly have been attended by a numerous cavalcade to Brentford. Many of the freeholders pressed it as a proper, and the usual, measure; but he chose the most private manner, and went there the evening before the election with only one † gentleman, whose friendship he ranks among the honours and blessings of his life. The election was carried through in the greatest freedom and order, with a general sobriety never before seen on such an occasion, intirely owing to the influence of Mr. Wilkes and his friends. On the same principle of preventing even the possibility of a tumult or riot, he declined the being chaired, and other usual honours.

I am ashamed, Sir, to have dwelt so long on a point, which may be proved by the whole of Mr. Wilkes's conduct. Even his present situation has given him a glorious opportunity, which I do not recollect has happened to any other man, of shewing his obedience to the laws and to the civil magistrate. After the refusal of bail by his judges before sentence, in his way to prison he was rescued by his countrymen. The officers of justice, who had the charge of him, were in the utmost danger. Mr. Wilkes had that day the happiness of preserving three lives, although perhaps not the three he would have chosen from the whole species. Afterwards by a stratagem, and in disguise, he escaped into the prison, to which he had been sentenced in the morning. The marshal soon came, still pale, trembling, and aghast, ready to fall on his knees no less from fear than gratitude, thanked him in the warmest terms, and said, "it was impossible he could continue in the King's Bench prison twenty-four hours, if there was any honour in government." He has now been there above half a year, and I dare say he will pass the next eighteen months in the same place, for although the envenomed cause of all his, and the nation's wrongs, is fled, yet the sting is left behind. The accursed thing is not now indeed in the midst of us, but we do not yet know how soon the vengeance of heaven may for our sins chastise us in as full a measure of wrath as before. Since his letter to the king in the beginning of March, Mr. Wilkes has made no application to any person whatever respecting his pardon, and I prophecy that he will be left where he is till the 18th of April 1770, with only the testimony of a good conscience, the satisfaction of having done real services to his country, and the love of a grateful nation. He will then emerge with dignity and glory, for I believe he will have the confidence of the public enough to carry through many constitutional points of liberty, in conjunction with other true lovers of their country, and perhaps to compleat the plan of freedom, which even the glorious revolution left imperfect.

In the mean time, under the weight of the most unjust oppressions, Mr. Wilkes's friends have the comfort to find that he possesses peace and fortitude of mind, that he does not "bate a jot of heart or hope," but still "bears

† The Reverend Mr. John Horne.

"bears up and steers right onward." He might add that all he has suffered has been

"In liberty's defence, his noble task,

"Of which all Europe rings from side to side."

I hope he will atone for the dissipation of too gay a youth, and that the rest of his life will be usefully employed for this nation, whether in the gloom of a prison, or at large among chearful and genial friends, of sense and honour, with a steady, disinterested and inviolable attachment to the cause of liberty. After a few tedious months he will look back with joy on his past sufferings, and the happy consequences of them to this kingdom. That reflection will give a keener relish to what I believe he may now expect since his return to England. I trust that he will no more be a wanderer, nor lost in the primrose path of pleasure, but that we shall see him on every great occasion sacrificing to public virtue, at all times happy and free in his native country, in the bosom of philosophy and friendship. Although he has suffered a long exile, and been broken upon the wheel of fortune, yet being at last restored to the land of freedom, when all his cruel wounds are at length healed and forgotten, I expect that amongst his household deities he will erect a temple to Liberty, and dedicate an altar FORTUNE REDUCI. [to Fortune the restorer.] I am, &c.

To the P U B L I C.

MR. Wilkes having acknowledged, in his letter to the Freeholders of Middlesex, printed in our last, together with the Secretary of State's letter to justice Ponton, that he had transmitted to the press the letter of the Secretary at War, "returning thanks, in the king's name, to the officers and soldiers of the third regiment of guards, for the rank and foul murders committed in St. George's-Fields;" it was observed by many of the purchasers of the above NORTH BRITON, that, in order to exhibit to the public a complete view of all the arbitrary and bloody acts of the present ministry, the Secretary at War's letter should have been printed, together with those of Mr. Wilkes and the Secretary of State; the publisher is extremely sorry, that any thing should have been omitted, which would have rendered this publication more agreeable to his purchasers; but, to supply, as much as possible, this defect, he has inserted the letter verbatim.

ORDER S. P A R O L E is WANDSWORTH.

The field officer in waiting of the Foot-Guards received yesterday the following letter.

S I R,

— Office, May 11, 1768.

"HAVING this day had the honour of mentioning to the king the behaviour of the detachments from the several battalions of Foot-Guards, which have been lately employed in assisting the civil magistrates and preserving the public peace, I have great pleasure in informing you, that his majesty highly approves of the conduct of both the officers and men, and means that his majesty's approbation should be communicated to them thro' you. Employing the troops on so disagreeable a service, always gives me pain; but the circumstances of the times makes it necessary. I am persuaded they see that necessity, and will continue, as they have done, to perform their duty with alacrity. I beg you will be pleased to assure them, that every possible regard shall be shewn to them; their zeal and good behaviour upon this occasion deserve it; and in case any disagreeable circumstance should happen in the execution of their duty, they shall have every defence and protection, that the law can authorize, and this office can give. I have the honour to be, Sir,

Your most obedient, and humble Servant,

BARRINGTON.

Field-Officer in Staff waiting for the three regiments
of Foot-Guards.

Officers for Guards on Saturday next,
Lieut. Col. Groyn, &c. &c."

Sold by W. BINGLEY, opposite Durham Yard in the Strand. Where likewise may be had, any of the former Numbers, and Complete Sets sewed in blue Paper.

THE
NORTH BRITON.

NUMBER LXXXIII. (or XXXVII. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

*Primores populi arripuit populumque tributim ;
Scilicet uni æquas virtuti atque ejus amicis.*

HORACE.

SATURDAY, JANUARY 7, 1769.

To the NORTH BRITON.

SIR,

AS I found it impossible to finish the subject of *political* gambling in my last letter, which you was so good as to insert in the 79th number of the *North Briton*, I hope you will oblige me by giving a place in your next to the few following sentiments on the same topic. Amongst the worthy practitioners in this honourable art, the E— of H—rtf—rd holds a principal and distinguished rank. This nobleman, whose name or whose family were scarce ever, till within these few years, heard of in the list of ministers or placemen, was, by the all-powerful influence of the Scottish favourite, and the unmerited indulgence of his royal master, appointed, first, ambassador to the court of France, afterwards lord lieutenant of Ireland, and, last of all, ch—mb—rl—n of the household, which post he still holds, besides a number of inferior offices enjoyed by his friends, his creatures and dependants. But, of all the favours that ever were conferred by any prince upon any subject, the surrender of the interest of the crown, in the b—r—gh of O——d to this noble lord, is by far the most remarkable ; a favour, which is supposed, according to the most moderate computation, to be well worth thirty or forty thousand pounds. This step, indeed, has, at first sight, the appearance, as if the crown were willing to divest itself of some part of its power ; but the more natural conclusion is, that it was so conscious of his lordship's *grateful* disposition, as to be sure not only of retaining the interest which it seemed to relinquish, but also of securing all the other interest, which his lordship might possess.

The next two *political* gamblers I shall mention, are the l—ds B——t and le D——r. These two I join together, because they resemble each other in this, that, by rummaging into some old musty records, and offering incense at the shrine of the favourite, they

they have found means to shoulder themselves up to the very top of the English B—r—ns. But though their obligations to the crown be equally great, their expressions of gratitude are very different. The first acknowledges; with much humility, and I dare say with no less justice, that he owes the revival of his title entirely to the favour of his prince, without the smallest grain of personal merit; and therefore he has chosen these words for his motto, *Resurgo rege favente*: whereas the last talks in a more confident strain, proclaims himself the champion of old English liberty, and assumes the following expression for his motto, *Pro magnâ chartâ*: with what propriety, let the reader determine, who remembers the attempts he made to extend the laws of excise, and to saddle the western counties with a duty upon cyder. But, whatever may be their respective obligations to the crown, or their different manner of expressing their gratitude, they have equally succeeded in the art of *political card playing*; the former having got himself appointed governor of V—rg—a, the latter joint p—st m—st—r g—n—r—l: by which means the one will be enabled to increase a fortune already large, the other to repair a fortune, which is almost ruined.

The E— of Alb—m—rle, too, has *played his cards* to very good purpose; for, by the rich capture which he made at the Havannah, and by his *conscientious* manner of dividing the plunder, he has raised his estate from one of the meanest, to be one of the first in the kingdom. This must certainly give great satisfaction to every impartial person, particularly to the gallant officers and soldiers who served under his lordship in that hazardous and fortunate expedition; who, when their wives and children call out to them for bread, may bring them to the door, and shew them his lordship's splendid equipage and numerous retinue, supported by the money which should have filled their bellies, the cravings of which must be immediately allayed upon beholding such a grand and magnificent spectacle: for such is the dear delight which the good people of England take in shews, that there are few of them, I believe, but would cheerfully suffer the yearnings of an empty belly for such a ravishing and transporting pleasure. The truth is, though our government breathes more of a republican spirit, than almost any government in Europe, yet our fleet and army breathe more of a monarchical, if not of a despotic spirit; for there is no country in the world, I am told, where the prizes taken in war are so unequally and unreasonably divided between the private men and inferior officers on the one hand, and the commanders in chief on the other; where so little falls to the share of the former, and so much to the share of the latter. But while our laws are made and our customs established by ministers and placemen, a reformation is no more to be expected in this than in any other part of the government.

Perhaps it may be thought, that, in the list of *political gamblers*, I should give a place, among others, to the once avowed, and still concealed master of the game, the great favourite himself. This nobleman, it must be owned, during the short time he acted in public, *played his cards* as well as any one that ever ventured his hand at a political hazard-table, having been, in the space of little more than two years, appointed successively groom of the stole, secretary of state, first lord of the treasury, and created a knight of the garter. But, intoxicated with his surprizing suc-
cess,

cess, which he foolishly ascribed to his own merit, and not, as he ought to have done, to the caprice of fortune, and the undeserved favour of his prince, he became so open and impudent in his impostures, as to excite the indignation of all his fellow card-players; who, partly provoked at his superior good fortune, partly afraid lest, by his scandalous practices, he should ruin the profession, joined against him to a man, and obliged him to leave the table with shame and confusion.

But though thus stripped of the character of a *public gambler*, he still continues to *play his cards in private*; and such is the uncontrollable power he has over the whole party, that none of them dare play to any greater extent, or for any longer time, than he thinks proper to permit them. He sometimes, too, as occasion requires, and as he is easily enabled to do by overlooking the cards, assists his friends at a dead list; and, in particular, he lately helped his own son-in-law to strip a worthy nobleman of a considerable part of his fortune. But this son-in-law, with all the good will in the world to be a *political gambler*, has shewn himself a most wretched bungler in this kind of *card-playing*; for, instead of being able to bring into the house nine or ten members, as usual, he has not even had interest sufficient to secure himself a seat in that honourable assembly.

The means, moreover, which he has employed for this end, may probably be attended with some disagreeable consequences; as it is not to be supposed, that, while the laws of England continue in force, any minister, or any substitute of a minister, should dare, with impunity, to invade the property of any particular subject; or that any sheriff, though supported with all the interest of the court and the ministry, should presume to violate the right of election, which has been immemorially possessed by the freeholders of a county.

I must not, while talking of *political gamblers*, neglect taking notice of the celebrated lord Cl—e, whose rise was as sudden and as unexpected, as, perhaps, has been that of almost any person, that ever appeared in this or in any other country; for, merely from the comparatively low station of attorney's clerk, an office, too, for which, it is said, he was but indifferently qualified, he raised himself, it is true, as much by his personal merit, as by a fortunate concurrence of circumstances, to be one of the most wealthy, and, of consequence, one of the most powerful subjects in the kingdom. As his rise, therefore, was, in a great measure, owing to his spirit and capacity, I do not find fault with him for having *played his cards well*: what I blame in him is, his endeavouring to prevent others from enjoying the like opportunity; for he had no sooner made his own fortune, than he attempted to procure a resolution of the East-India proprietors, that no servant of the company should thenceforward receive any presents from the East-India Nabobs, though it is certain, that he himself acquired the greatest part of his riches by such kind of presents. But it has always been found, that an ambitious man is never more jealous of any set of people, than of those who are likely to rise to distinction by the very same means by which himself rose.

In drawing up a catalogue of *political gamblers*, it would be an unpardonable omission to leave out the names of the present lord St—rd of the h—sh—ld and the s—cr—t—ry at war, both of whom have had the address to secure themselves in the possession

sion of their places, beyond, I believe, the possibility of removal; the first by fighting a duel with Mr *Wilkes*, and thereby giving the ministry a chance of seeing that gentleman brought to an untimely end, though, in the execution of this task, his lordship shewed a greater devotion to the favourite, than any personal courage or firmness of mind; and the last, by exerting, or rather abusing, the whole power of his office, in wreaking the vengeance of a tyrannical minister upon the patriotic but obnoxious freeholders of Middlesex.

Some people, perhaps, may be inclined to rank Mr. *Wilkes* himself in the list of *political gamblers*. But Mr. *Wilkes* is so far from being a *political gambler*, that he is, on the contrary, a detector of *political gamblers*; and it was his activity in detecting the tricks, and exposing the villainy of the *political gamblers* in the year 1762, that drew upon him the resentment of the then ministry, and has since subjected him to such a long train of cruel persecutions, as no man, I believe, ever before suffered for so slight a crime; if indeed, by any perversion of language, that could be called a crime, which was plainly an act of the most exalted virtue. But *honestly*, they say, *is the best policy*; and the enemies of that gentleman may in the end find, that he has *played his cards* to much better purpose than even the most rapacious and successful of them all: for the time may come sooner than they think, and certainly than they wish, when those, who now riot on the spoils of their country, shall be made to restore their ill-got gain, and be reduced to their original poverty and insignificance.

Were I not afraid of debasing my subject, and disgusting the reader, I would admit justice G—ll—m and the *murderer Mac-Lane* into the number of *political gamblers*. The first, I dare say, is already on the list of private pensioners; and the last, it was acknowledged by the s—y at w—r, was maintained as well before, as during and after the trial, with the public money; that is, Sir, with your money, and my money, and the money of every man in the kingdom. He has likewise obtained his discharge from the army, and has probably a pension. Thus, by an inversion of the rules of justice, he has, by committing a greater crime, secured himself from the penalties denounced against a less. Had he been a deserter, he would have been shot; but now being a murderer, he is not only pardoned, but is gratified with his liberty, and, it is said, with an annuity. It will, no doubt, sound admirably in the annals of Great-Britain, that, in the year 1768, the — employed murderers to massacre the innocent subjects; and that when a man was found guilty, by a coroner's inquest, of the capital crime of Homicide, those who were intrusted with the execution of the law, basely, as well as wickedly, violated the law, by withdrawing the criminal from the just punishment which the law required he should suffer. The people, you will allow, must be strongly prompted to obey the law, when such excellent examples are set them by their rulers.

Another *political gambler*, and one indeed of the least scrupulous and most successful, is C—t, the agent. This man, it is well known, *played his cards* so dexterously during the late war, that, at one and the same time, he acted as agent to sixty different regiments; and a readiness to employ him in that capacity was a stronger recommendation in any candidate for a regiment, than the greatest skill in the military profession, or the most signal services

services performed to his country. But it was not merely by the profits of his agency, however enormous, that C—t made his fortune. He had other methods, of a more curious and singular nature, of which the following may serve as a specimen. Towards the conclusion of the war, there was a ballance, in his hands, of 200,000*l.* for the non-effective men of the several regiments, to which he was agent. Accordingly the treasury drew out the account and sent it to him, demanding the money. He received, the account with great politeness, acknowledged it was fairly stated, and promised to settle it; and this he did, in a little time after, by drawing out an account of interest, which, he said, the treasury owed him, and which reduced the ballance due from him to 59*l.* 0*s.* 0*d.* That sum was all he paid of the 200,000*l.* and the treasury accepted it in full satisfaction of the debt. The reader will be the less surprized at this instance of lenity in the treasury, when he is informed, that C —t undertook to make six members; nor will any one wonder at the venality and corruption of the last parliament, if the members were so made.

The ladies have always been remarkably fond of card-playing; and a gaming-table, whether of a public or private nature, that wants their company, is certainly destitute of one of its chief ornaments. To do our ministers justice, they have not, in this respect, been deficient in gallantry. They have admitted into their party a good number of ladies, several of whom, it is said, have *played their cards* very well. This is particularly the case of the famous *Nancy Parsons*, the *chaste* and virtuous mistress of our present prime minister, who, availing herself of the seasonable hints she received from her kind keeper, hath played her cards so successfully, as to acquire, it is affirmed, a very handsome fortune, and such as will enable her, when cast off by his grace, to live like a lady of fashion, without coming upon the public, as she hath often formerly done.

The following anecdote, relating to this lady, is too curious to be passed over in silence. In the course of last year she went over to France, accompanied by lord Molineux. On her return from Paris, attended by his lordship, with their portmanteaus loaded with French cloaths, laces, and trinkets, an order was sent to Dover from the tr—s—ry not to search or visit her baggage; and, lest this order should not be punctually complied with, Br—dsh—w, secretary to the tr—s—ry, and m—mb—r for Harwich, was dispatched to Calais to escort her and her contraband goods over. The Custom-House officers were too wise to dispute such an authority. Neither her baggage, nor that of her gallant, lord Molineux, were attempted to be searched, but were lodged at the inn in Dover called the City of London, were afterwards smuggled to London by the landlord and his wife, and were safely delivered at the house of the D— of G— in Grosvenor Square. Whether *Nancy* kept all these cloaths for her own use, or gave part of them away in presents, or sold them among her acquaintance, I have never yet learned. But if this last was the case, I think both she and her keeper, though prime minister of Great-Britain, might have been fairly seized and prosecuted as smugglers. If I should seem rather severe in this opinion, I must beg leave to mention, by way of apology, an article lately printed in all the news-papers, and dated from Stockholm, by which it appears, that the Custom-House officers in Sweden seized their own
king's

king's baggage, and would not allow it to pass until they had examined it. But, happy Britain! how much more civil and polite are they Custom-House officers! who suffer not only the king's baggage, as is just and reasonable, but even the baggage of a prime minister, nay the baggage of a prime minister's whore, to pass without inspection.

To the remarks, which I made in my last letter, upon the *political gambling* of lord H——d, I must now take the liberty to add, that that nobleman has in his hands a ballance of 40,000 l. which he owed to the public at the time of his leaving the office of paymaster to the army. This sum he has often been requested to pay, but hitherto to no purpose. Baron P——rk——r, in particular, lately declared in open court, that a proper process ought to be issued out to enforce the miscreant to *disgorge the public money*. But words are but wind, and his lordship treats them accordingly; and a man, who cannot bear to be called a few hard names, is by no means fit to be a political gambler.

I wish to God, however, the baron would contrive some effectual method for making this and all other miscreants *disgorge the public money*. I wish he could invent some *political emetic* for this purpose. I am sure such a medicine would be of more use for the health of the *body politic*, than Dr. Hill's Bardana or Balsam of honey, or any other nostrum that ever was invented, has been for the health of the *animal body*. The Tower, the King's Bench Prison, and other jails, might serve for hospitals to the *patients*; and the medicine might be administered in the court of King's-Bench, or in the upper house of parliament. What a glorious spectacle would it be, to behold one half the great men in the nation set a *puking*, and *disgorging* not such foul and foetid stuff as is thrown up by other patients, but good solid gold and silver. The patients indeed, it is natural to think, would be somewhat averse to the taking of this medicine; but let such a medicine be once invented, and (such is the high spirit of the times) I will answer for its being effectually administered.

Beside the ballance in lord H——d's hands, there are large ballances in the hands of Charles T——d's executors, of George C——ke's executors, in the hands of lord N——th and Tommy T——d, not to mention what may now be in the hands of the rapacious R——by. In a word, it may be safely affirmed, that, for several years past, there has not been any person in this or in any other office under the government, through which money passes, that has either died in those offices, or retired from them, without large ballances of money in their hands.

What is the reason why the building of the deputy Ranger's lodge in the Green-Park has been so long interrupted? If I am not greatly misinformed, it is because the late Sir Edmund Thomas, surveyor of his majesty's woods, died deeply in the public debt.

Such is the boasted *economy* of our ministers! And with such rigid frugality and unexampled integrity have the revenues of the nation been, for some time, managed! I am, Sir, Yours &c.

L.

T H E

N O R T H B R I T O N .

NUMBER LXXXIV. (or XXXVIII. of the CONTINUATION.)

To be continued every *Saturday*. . Price Two-pence Halfpenny.

SATURDAY, JANUARY 14, 1769.

*Thee, Ornament of Europe, Albion's Pride,
Fair Seat of Wealth and FREEDOM, Thee, my Pen
Shall celebrate, O LONDON !*

LONDON, a Poem, by Mr. GLOVER.

*To the Right Honourable the LORD MAYOR, the ALDERMEN,
and COMMON-COUNCIL of the city of LONDON :*

MY LORD, and GENTLEMEN,

I Cannot omit the present opportunity of congratulating you, and the public in general, on the auspicious event of Mr. Wilkes's being chosen an *Alderman* of this great and flourishing city ; a city, which, for wealth and number of inhabitants, has scarcely its equal in the whole known world. And as the ministry used their utmost influence—at least as far as the shortness of the time would permit—in opposing the election of that gentleman ; and as, now that he is elected in spite of all their opposition, they seem resolutely bent on depreciating the character and dignity of the city, and representing the citizens as a parcel of low-lived, low-bred mechanicks ; I thought I could not employ my leisure to better purpose, than in shewing the distinguished figure, which the city of London has always made, the vigorous efforts, which it hath, at different times, exerted in the cause of liberty, and the powerful influence, which its example has ever had upon the other parts of the kingdom.

So early as the reign of king Stephen, that is above 600 years ago, it was able of itself to furnish an army of 80,000 men ; and it is a well-known fact, that it was the citizens of London chiefly, that maintained that prince in the possession of the throne : and though, for a time, they submitted to his rival, Matilda, yet, upon that princess's refusing to confirm to the nation the laws of king Edward, they rose in arms against her, and, had she not saved herself by a precipitate flight, they would have seized her person, as they did her baggage, in the city of Westminster. Their power continued regularly to increase during all the succeeding reigns ; and in every revolution, that happened in the government, they bore a considerable and important share : nor did ever any prince think himself firmly established on the throne, until
he

he had gained their good will and affection; nor, when deprived of that only legal and constitutional support, could he look upon his situation as other than precarious.

Such have been the sentiments of the most prudent princes that ever swayed the sceptre in England, and of none more than of the celebrated queen Elizabeth, who justly regarded the good will of the Londoners as the strongest barrier and bulwark of her throne. And as no prince was ever more assiduous in cultivating their favour, so no prince ever enjoyed it in a higher degree, or derived from it more signal advantages; witness the powerful assistance, which the Londoners gave her towards defeating the Spanish Armada, when, at their own proper charge, they fitted out, for that national service, as many ships, 'bating fifteen, as were furnished by all the nobility and gentry in the kingdom put together.

But, let Tories and Jacobites say what they please, I will venture to affirm, that as the power of the citizens of London was never displayed in a more conspicuous manner, so was it never exerted to a more patriotic purpose, than in the opposition they made to the arbitrary measures of king Charles the first, the protection they afforded to the members of parliament and others, who were persecuted by that violent prince and his tyrannical ministers, and the conduct they observed during the whole course of the civil war. The citizens of London were the first to petition the king to assemble a parliament, as none had been assembled for a number of years; a matter, indeed, which should not have been left to his determination, and is one of those points, which, notwithstanding the silly cavils of the Critic, were left unsettled at the Revolution. And when a parliament was at last assembled, and the king, actuated by his own hasty temper, and the rash counsels of his queen and his ministers, went, with a band of ruffian followers, to the house of Commons, in order to seize the five obnoxious members, these last took refuge in the city, where they found a safe asylum, and where they were enabled, as every man, who is unjustly and illegally attacked, ought to be enabled, to set the whole executive power of the state at defiance.

Nor did the citizens of London afford protection to these members only, while they resided among them. In a few days after, they carried them back, and that too with an armed force, to St. Stephen's chapel, where they restored them to their seats; while the king and his cavaliers, conscious of the outrages of which they had been guilty, and justly dreading the effects of popular resentment, thought proper to consult their safety by flying to Hampton-Court.

The conduct of the Londoners, during the whole course of the civil war, was equally bold and spirited. From a thorough conviction and utter detestation of the king's tyrannical temper and unconstitutional measures, they heartily espoused the cause of the parliament, assisted the forces of that party with the city trained-bands, which distinguished themselves remarkably in the first battle of Newbury; and, by their seasonable supplies of men and of money, they contributed, in a great measure, to render the parliamentary army in the end victorious.

But though enemies to tyranny, they were no enemies to monarchy.

narchy. They therefore disapproved of the king's trial and execution: they equally disapproved of Cromwell's usurpation, and of all that scene of anarchy and violence which followed it: they concurred in the restoration of king Charles the Second: and they continued to support that prince, while he continued to regulate his conduct by the principles of the constitution; but the moment he began to embrace maxims inconsistent with a free and a limited government, they endeavoured to oppose him with the utmost resolution: and these endeavours, in defence of their liberties, they persisted to exert, as well during that as the succeeding reign, till at length, in conjunction with the rest of the nation, they brought about the glorious Revolution.

From the part, which the citizens of London took, and, indeed, were invited to take, in this grand and national affair, we may easily judge of the high estimation, in which they were then held by the rest of the kingdom. For when the convention, consisting of all the members who had sat in the house of Commons during any parliament of king Charles the Second, was assembled, in order to settle the plan of the new government, they were assisted, in their deliberations, by the lord-mayor, the aldermen, and fifty of the common-council of the city; which was supposed, it seems, to be no more than the proportion these last ought to bear in the great council of the nation. The city likewise supplied the prince of Orange, before his elevation to the throne, with a loan of 200,000*l.* a sum, which could not, at that critical juncture, have been easily raised by any other means.

In a word, as the reigns of all the kings of the Stuart line were one continued series of encroachments on the lawful rights and liberties of the people, the citizens of London carried on an unwearied and unremitted opposition to the measures of government during that whole period. But let us not imagine, that this opposition proceeded from any personal antipathy, which the citizens had conceived against the princes of that family. That this was not the case, is sufficiently evident from this circumstance, that they have sometimes opposed with as much zeal, though happily, as the occasion required, with much less violence, the measures of government since the accession of the Brunswick family; witness the Excise-scheme, which, by their vigorous remonstrances, they effectually defeated; and the Jew and Cyder bills, of which, by the same means, they procured an almost instantaneous repeal.

The citizens of London, it cannot be denied, or rather it ought to be acknowledged to their honour, have been always remarkable for their steady attachment to the Protestant succession in the present royal family; but this, it is certain, is but a secondary consideration: the preservation of their religion, their laws, and their liberties, is the primary object; and should ever these two, by the treachery or obstinacy of any minister, be rendered incompatible—which yet there seems to be no reason to fear at present, and I hope there never will,—no man of sense can be at a loss to determine, which part of the alternative ought to be embraced. The end, most surely, ought never to be sacrificed to the means.

In fact, it appears from the concurrent testimony of all historians, as well as from our own experience, that the citizens of
London,

London have ever distinguished themselves as the patrons and protectors of the liberties of the nation; and that no attempt has at any time been made upon these liberties, without meeting with a strenuous opposition, and generally, indeed, with a total defeat, from those worthy patriots. But it is not merely by the weight of their own power and interest, however great, that the citizens of London are enabled to perform such signal services to their country: the influence of their example has a considerable effect. No sooner does a general spirit begin to prevail in the capital, than it immediately diffuses itself through the whole kingdom; for as naturally as the different parts of the body are supplied with blood and nourishment from the heart, so naturally does the rest of the nation imbibe the sentiments and disposition of the metropolis. Of this it were easy to produce a variety of examples; but a few instances will answer the purpose. When Mr. Pitt and Mr. Legge were removed from their employments in 1757, the magistrates of London presented them with the freedom of the city in golden boxes, as a testimony of the high sense which they had of their merit. The example of the metropolis was immediately followed by the rest of the nation; and almost every other city and borough in the kingdom paid the same compliment to the discarded patriots. The same was nearly the case with regard to the petitions against the Excise-scheme, and the Jew and Cyder-bills, which I have just mentioned; for the remonstrances presented against these measures by the citizens of London, led the way to all the opposition which was afterwards made to them.

Nor will any one be surprized at the mighty influence which the city of London has over the rest of the nation, when he considers the immense number and wealth of the inhabitants, and the vast sums they contribute towards the public expences; for it is a notorious fact, that this great city and the county of Middlesex, which are in some respects inseparably united, pay no less than a sixth part of the whole land-tax of Great Britain, and more than proportionably in all our other numerous duties and taxes; not to mention, that the other parts of the kingdom are, in a great measure, enabled to pay their quota's, with ease, by the riches, which are circulated amongst them, by means of the vast trade and commerce of the metropolis.

Besides, as the citizens of London live so near the seat of government, they may naturally be supposed to be better acquainted, than those who live at a greater distance, with public measures, and better qualified to judge, whether these measures are likely to promote or prejudice the interest of their country.

Add to this, that being, for the most part, independent in their circumstances, they are under no temptation to conceal or disguise their sentiments; but, free from the fetters of a slavish subjection to others, they boldly claim the privilege of thinking for themselves, and of speaking as they think. And, indeed, it is certain, that, while the inhabitants of some remote counties and boroughs have been either induced by an ignorance of facts, or compelled by the menaces of an overbearing superior, to approve of the most pernicious and destructive projects, the citizens of London, more enlightened, and less under controul, have, almost without exception, formed just and proper sentiments of the rectitude or obliquity of ministerial measures.

But

But however just in general, may be the sentiments of the Londoners concerning public measures, still it must be confessed, that these sentiments, or rather the expression of them by the mouths of the Common-council, have often taken a tincture from the character of the chief city magistrate; so that as he happened to be a man of a bold and generous spirit, or of a base and servile disposition, the worthy inhabitants of the city of London have alternately been made to speak as freemen or as slaves. For proof of this we need go no farther back than to the late mayoralty, when the person, who filled that important station, discovered such a mean and abject submission to the dictates of the minister, as at once disgraced his own character, and that of the august city, whose chief magistrate he was. But how very differently, and how much more honourably for yourself, and advantageously for the public, is that high office now executed by you, my lord, the present chief city magistrate, whose conduct forms a perfect contrast to that of your worthless predecessor.

On the one hand, we have a man, whose pride and vanity are only exceeded by his avarice and selfishness, and who, to secure the contract he had with the government, or procure a better, which now, by his servility, he hath at length obtained, was ready, on all occasions, to prostitute the dignity of his own character, and sacrifice the privileges of his fellow-citizens. On the other, we have an able, virtuous, and respectable magistrate, who neither has, nor desires to have, a place; who, unawed by power, unmoved by favour, and uninfluenced by party, discharges his duty with candour and impartiality; who, alike regardless of the smiles or frowns of the ministry, pursues such measures as he thinks most conducive to the interest of his country; who is esteemed, beloved, and almost adored by his fellow-citizens; who receives from the people, if that be possible, almost as many shouts of applause, as his predecessor received hoots and hisses; and who, by his just and equitable manner of proceeding, bids fair to restore the office of Lord-Mayor to that degree of dignity and respect, from which, unhappily but with too much success, the other endeavoured to degrade it.

As the citizens of London, therefore, are so powerful and respectable a body; as they have always breathed, and I hope still breathe, such an unconquerable spirit of freedom, that all attempts to bend their stubborn necks to the yoke of slavery, have constantly recoiled upon those that made them; and as their example has such a mighty influence upon the rest of their fellow-subjects, that whatever sentiments they happen to be inspired with, will soon become the sentiments of the whole nation; it is certainly the duty of every minister, and will be the study of every wise minister, to conciliate their love and affection.

But have our ministers taken the necessary steps for this purpose? Or rather, have they not, for these eight years past, and as it were with a premeditated design, done every thing that lay in their power to excite the resentment and indignation of the people? The instances of their conduct, that have such a tendency, are too numerous, too melancholy, and some of them too recent, to admit or require a particular enumeration. The indelible disgrace, that has been fixed upon our government, by the frequent changes of the ministry, which have been almost as frequent as the changes of the moon! the departure, that has been made, from the true spirit of the constitution, by committing

ting the management of public affairs to successive sets of men, who had no other title to that high distinction, than their slavish submission to a detested favourite, or to an imperious woman; the invasion of the property of a worthy nobleman, to serve the purposes of a parliamentary election; the scandalous profusion of the public money in unmerited pensions and useless sinecures, not to mention other more flagrant instances of the embezzlement of the national treasure; the breach of the laws, that has been repeatedly committed, in order to launch the bolts of ministerial vengeance upon a man, who had been guilty of no other crime, than of having inadvertently said in print, what he might have said, and what has been, indeed, a hundred times said, with the most perfect impunity, in the house; the massacre perpetrated in St. George's Fields; the murders committed at Brentford: such are a few of the blessed means which our ministers have employed for gaining the good-will and affections of the people.

The truth is, had they formed a regular plan for alienating from the prince the hearts of his subjects, they could not have acted with greater tyranny and despotism, than for several years they have done. Let me, however, intreat them to remember, if not for their country's sake, at least for their own, the following maxim of Machiavel, viz. *That when the people are dissatisfied, and have taken a prejudice against their governors, there is no thing nor person that they ought not to fear.* And let me recommend, to whom it may concern, the sensible saying of Henry the Third of Castile, who declared, *that he feared the curses of his people, more than the arms of his enemies.*

But, whatever may be the treachery or tyranny of ministers, whatever schemes they may lay, first, to drive the people to despair, and then to enslave them by way of punishment; let me beseech you, my Lord and Gentlemen, to go on, as you have hitherto done, in cultivating the favour and affections of your fellow-citizens, in inspiring them with an ardent and inextinguishable love of liberty, in inculcating upon them a due submission to the laws, and to these alone, and in infusing into their breasts a determined resolution to oppose, even to death, every authority, however great, that pretends in any, the minutest, article, to be paramount to the laws.

The citizens of London have often saved the constitution, when brought to the brink of ruin; and I hope they will still be able to save it, if ever it should hereafter be brought into the same critical situation. I am, my LORD and GENTLEMEN,

Your most humble and obedient servant,

D.

A CITIZEN of LONDON.

For the NORTH BRITON.

A fashionable Toast, occasioned by an article of news in the public papers.

IF the FURY *Alecto* once crosses the main,
May she never more trample on *England* again:
And when she is gone—may she know no worse *Hell*,
Than what she will find in the *Castle of Z-LL*.

Sold by W. BINGLEY, opposite Durham Yard in the Strand. Where likewise may be had, any of the former Numbers, and complete Sets sewed in blue Paper.

A

NORTH BRITON

EXTRAORDINARY.

NUMBER LXXXV. (or XXXIX. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

WEDNESDAY, JANUARY 18, 1769.

At qui sunt hi, qui rempublicam occupavere? Homines Sceleratissimi, CRUENTIS MANIBUS, inmani Avaritiâ, nocentissimi, idemque superbissimi.——Pars eorum, occidisse tribunos plebis, alii questiones injustas, plerique CEDERE IN VOS PECISSE pro munimento habent.

SALLUST.

SUCH is the arbitrary and tyrannical spirit of the times in which we live, that almost every day teems with events of the most shocking and alarming nature. Scarce a day, scarce even an hour passes, without some fresh discovery being made of those black and diabolical designs, which our ministers and placemen seem to have formed, to destroy the rights and liberties of the people. The Secretary of State's letter, previous, and, in some measure, indeed, introductory, to the massacre in St. George's Fields; and the Secretary at War's letter, subsequent to, and approbatory of the carnage; these are circumstances, which, amongst a variety of others, are such irrefragable proofs of the despotic principles and sanguinary disposition of our present ministers, as must render them the objects of hatred and detestation to all their contemporaries, and transmit their names with infamy to the latest posterity.

But there have some facts appeared in the course of the trial of the two Brentford-Rioters, *Balse* and *M^r Quirk*, who have just been
condemned

condemned and *respited* for murder, that must fill us, if possible, with still greater apprehensions. For a massacre committed by a military force is but a temporary evil, that may easily be remedied; nor till the civil part of our government is entirely overpowered by the military, can our liberties properly be said to be destroyed, at least by a standing army. But if ever the time should come, when the nobility shall endeavour to controul the freedom of the election of members of parliament, not only by exerting, in a peaceable manner, all that influence, which their high rank and large fortunes give them, but also by hiring crouds of desperate ruffians, to over-awe, if not to murder, the independent electors; our liberties will, in that case, be as effectually ruined, as if the House of Commons were expressly abolished. For a House of Commons, that is made by the influence, and directed by the orders, of the House of Lords, would be worse than no House of Commons at all. Instead of being the protectors, they would be betrayers of our liberties: instead of securing us, as they ought to do, from the galling yoke of slavery, they would only assist in rivetting our chains more firmly upon us.

Matters, however, I hope, are not yet come to such a dangerous crisis. But it evidently appears, from the trial of the above mentioned rioters, that one of them, namely *M^r Quirk*, was hired by one *Tattem*, an agent of lord *Hallifax*, the very nobleman who issued the general warrant, and thereby first gave rise to jealousies and discontents, which for these five years past, have disturbed the peace of the kingdom. Was it not enough, that his lordship has already two prosecutions hanging over him for his breach of the laws? Must he likewise expose himself to the danger of a third? But this is not the first time that his lordship has employed rioters to controul the freedom of elections. He had tried the experiment at another election; and having done it in that case with the most perfect impunity, he thought he might do it again with the same degree of safety. For it further appeared, during the course of the trial, that this very *M^r Quirk* was hired by this very *Tattem*, and doubtless by the command of the very same nobleman, at two guineas a week, and all necessaries found him, to go down to the last election at Northampton, where he is also said to have signallized himself by his acts of brutal violence. It has always, indeed, been strongly suspected, that noblemen interfere in the
election

election of members of parliament; but this, I believe, is the first instance, where such interference has been proved by oath, and in a court of justice.

But if the reader be surprized to hear of a nobleman employing rioters to controul the freedom of elections, he will be still more surprized to hear of a domestic servant of the king committing the same crime. And yet that one of them did commit the same crime, was put beyond the possibility of a doubt by the depositions of the witnesses, who repeatedly declared, that the other rioter, *Bulfe*, was hired by *Broughton*, one of the ushers of the yeomen of the guards. I shall, therefore, expect to hear, in a few days, of Mr. Broughton's being dismissed from his employment; as his continuing in it may give rise to some suspicions, which no loyal subject would wish to entertain. I am sure if he does continue in it, I shall consider it as a severer libel upon the government, than all the libels that ever were written since the foundation of the monarchy.

I neither intend, nor indeed would it be proper or prudent, to give all the particulars of this curious and interesting trial, could I recollect them; as a full and circumstantial account of it will no doubt be, in a short time, published by authority. I shall only take the liberty of making a few cursory remarks upon some of the most important parts of it. And first, I must observe, that the three reverend judges, who presided at the trial, viz. Lord Chief Baron Parker, Mr. Justice Aston, and Mr. Justice Gould, behaved, all of them, with great candour and impartiality; discovering a propension in favour of neither party, farther than as they were moved by a regard to justice, and an abhorrence of the crime, with which the prisoners stood charged.

The prisoners, indeed, had great reason to be satisfied with their council, consisting of Serjeant Davey, Serjeant Burland, Mr. Walker, Mr. Lucas, and Mr. Murphy; for never was cause more ably and more artfully managed; and could they have been saved by eloquence and abilities, they must have been saved.

But the judges and the jury were too wise and too upright, to suffer themselves to be blinded or biaised by the quibbles of the law, or the flowers of rhetorick.

The council for the prisoners particularly endeavoured to prove, or rather to insinuate,—for they could not produce the least shadow of proof—that the rioters at Brentford belonged to Mr. Serjeant *Glynn*, and not to Sir William Beauchamp *Proctor*. But the council for the prosecution, consisting of Mr. Serjeant Leigh, Mr. Impey, and Mr. Adair, convinced of the falsity of this allegation, and considering, at the same time, the insidious design with which it was advanced, very prudently replied, that it was of no consequence to the merits of the cause to whom the rioters belonged: the only point to be decided was, whether the prisoners, *Balse* and *M^r Quirk*, were part of the rioters who murdered Mr. *Clarke*; and as that was a fact confirmed by the clearest and most undoubted evidence, the conclusion was unavoidable; the prisoners were guilty of the crime laid to their charge.

It must, indeed, be confessed, that the case of the unhappy convicts is truly pitiable. Common charity obliges us to suppose, that when they were hired by *Tattem* and *Broughton* to go to Brentford, they had no intention to commit murder: but let this be a lesson to their surviving brethren, never to engage in any unlawful act, in obedience to the commands of any man whatever; because, when once they are engaged, it is impossible to foresee to what criminal lengths they may possibly be carried.

Perhaps they will alledge, by way of excuse, that, as they depend upon the great for their daily bread, they dare not refuse to obey their orders, without running risk of starving with hunger. But if this be true, as I'm afraid it is, it only serves to shew the very precarious and wretched footing upon which they live; so very wretched, indeed, that the meanest hedger and ditcher in the country is a man of a more respectable character, and of more independent circumstances, than the greatest servant, or rather slave, of an opulent courtier. The former, if dismissed by one master, can easily find employment with another; and as his occupation is such as must always require a number of hands, he need never be afraid of being obliged to lie idle for want of business. But the latter, if unhappily deprived of his place, is the most destitute and forlorn being in the universe. Dig he cannot: to beg he is ashamed; and being generally bred up in sloth and ignorance, he is utterly unqualified for any laborious or ingenious calling. Hence the slavish
submission

submission of these people to their superiors; and such is the ease in which they are indulged, such the propensity of mankind to indolence, and such the vanity and ostentation of the wealthy, that the number of servants in our great families are grown, of late years, to be altogether enormous. In a word, we seem to be falling fast back into that barbarous period, when almost every nobleman maintained a crowd of dependents, to assist him in his violences, outrages, and riots, and even to bear evidence for him in courts of justice.

It may likewise be asked, Whether, if the rioters are so guilty, those who employed them can be considered as innocent? Whether, if the instruments deserve death, the persons that set them to work, do not merit the same punishment? *Coke*, I know, in his Institutes, says, "that if a person commandeth another to beat such a person, and he beats him so that he dies of his wounds, the person commanding will be *accessary* to the murder;" but how far this law will apply to the case of our present exalted criminals, I pretend not to determine. The rioters, poor wretches, perhaps, will, to their cost, find, that

Little villains must submit to fate,

That great ones may enjoy the world in state.

With regard to the motion made by Serjeant Davey for an arrest of judgment, it may be proper to inform the reader, that it was founded merely upon a little irregularity upon the back of the bill of indictment, where the Grand Jury had put the words, "A true bill for *aiding* and *abetting*," which last words *aiding* and *abetting* should have been omitted, and were only crossed out with the pen, instead of being perfectly erased.

I have already said, that the council for the prisoners discovered, in general, great learning and eloquence in their pleadings. But justice obliges me to take particular notice of a capital stroke of the celebrated Mr. Murphy, who not only excelled all his brother barristers, but even out-did his own out-doings.

After the evidence had been summed up by Mr. Justice Gould in a very masterly manner, Mr. Murphy said, he had a fresh evidence *in petto*, and desired he might be heard. The court observed, that such a practice was rather irregular; but as they were

willing

willing to show all kind of indulgence to the prisoners, they readily granted the request.

Accordingly the evidence was produced with great pomp and parade; and the expectation of the spectators raised to the highest pitch; as it was natural to think, that a man seemingly reserved on purpose, and now brought forward at so unusual a time, would overturn the depositions of all the former witnesses. But what were the surprize and disappointment of the court, when, upon the first question put to this evidence by Mr. Justice Gould, the man very readily replied, that he was one of Broughton's gang. This scene was so truly ridiculous, that, notwithstanding the solemnity of the occasion, the spectators could not refrain from bursting into a loud laugh.

Whether this was a voluntary, or involuntary mistake in the counsellor; whether it was a real blunder, or true Irish bull; or whether, for reasons best known to himself, he had a mind to burlesque the cause, which he had undertaken to defend, I will not presume to determine. But if this last was his motive, I think he acted a very ungrateful, and a very unjust part; as I dare say he had a good swinging fee; and a fee, moreover, to the payment of which every reader of this paper, and, indeed, every man in the nation, will be obliged to contribute his share.

E. B.

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T H E
N O R T H B R I T O N

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To be continued every *Saturday*. Price Two-pence Halfpenny.

SATURDAY, JANUARY 21, 1769.

Quantum mutatus ab illo !

VIRG

IT is a very common and a very just observation, -that no two men can differ more widely from one another, than the same man sometimes differs from himself at different periods of his life. A prodigal youth frequently terminates in an avaricious old age : none more likely to become a bigot in religion, than he that has once been a libertine in his principles : the drunkard and the glutton have, many times, been observed to become the most sober and temperate of men ; and that a person who has spent the earlier parts of his life in all the wild scenes of lewdness and debauchery, may correct his evil habits, is evident from this circumstance, that it is almost grown into a proverb, that a reformed rake makes the best husband.

But this inconsistency in human nature, this transition from one set of principles and one tenour of conduct to another of an opposite kind, is in nothing more remarkable than in political matters, where we sometimes see the most flaming patriot become the most prostitute courtier ; witness the great earl of Strafford, and the late earl of Bath, not to mention some well-known personages of the present age. How far a certain eminent lawyer is liable to the same accusation, I pretend not to say ; every reader shall be left to draw the conclusion for himself ; and this he will be more fully enabled to do, when he considers his lordship's late conduct, and compares it with the following speech, which contains his lordship's sentiments in the year 1744, and was delivered before the House of Commons in defence of the popular party at the Westminster election. This speech, indeed, has already appeared in print ; but it is at once so curious in itself, does so much honour to his lordship's early manner of thinking (however difficult it may be to reconcile it to his present principles) and contains so full a vindication of the general spirit of the *North Briton*, that I could not, in justice to the public, to his lordship, or to myself, omit giving it a place in this paper. I have, however, to supply the want of novelty, accompanied it with a few remarks, which I hope will be found neither impertinent, nor unapplicable to the present juncture. *Mr. Murray*, one of the council for the petitioners, spoke as follows :

“ SIR, I am council for this city and liberty—

“ IN the first year of the last parliament, on the question incidentally arising, Whether it was in the power of the crown to leave troops quartered in a town where the election was ? Though the act recites it never had been done, on the bare question being started, the parliament thought fit that doubt should not last any longer, but they brought in a bill to remove the possibility of a doubt on that head. What is the preamble to the bill ? Why, that all elections ought to be free ; and the conclusion is, that all troops

troops shall go out of the town, and not return till after the last day of the election. [*By an act of the 8th of George the Second, all troops are to remove, to the distance of two miles or upwards, from the place of election, excepting the City and Liberty of Westminster, where his Majesty's guards constantly reside.*] Besides this, Sir, it was the opinion of the legislature, last parliament, that it was a necessary consequence, that all troops should withdraw from the place of election. I am aware of an objection that will be made by way of exception. It will be said, What, can't the troops come to keep the peace? A specious pretext, indeed! I believe there never was, nor ever will be, the case of an army being present at an election, but every soldier has a double vote. [*He might have said four votes, as they will always be sure to command a majority.*] We need not go into many instances to shew this has been the case. The same cause will produce the same effect. It will be urged, I suppose, the civil magistrate was not strong enough: shall he not then call in their assistance? I beg leave to say, that the law of England will not suffer a supposition of that sort to be made; for, if a sheriff who is armed, (I am aware of the objection) I say, if a sheriff, who is armed with the civil power of his county; or if a bailiff who is armed by the law, if he should return as an answer for not executing the king's writ, that he was resisted, though the fact be true, the law considers it as a fact not to be supposed; and an action lies against him at the suit of the party; and why? Because it is a libel on the government to suppose the civil magistrate is not strong enough. [*In truth it is the severest libel, as it is a plain proof, that the government is carried on in contradiction to the general sentiments and interest of the people: and when that is the case, every government must necessarily be weak; and no civil magistrate can be strong enough.*] Sir, I would observe a noted distinction taken in the law-books; if a goal is broke by a foreign enemy, that is an excuse; but if a goal is broke open by rebels, the law will not allow the sheriff to give that in excuse, though it be ever so true, because it is a reflection on the government. He must arm himself with the civil power, which is strong enough to support itself. Many have been the instances where a corporation has been disfranchis'd, and fined, because the riots were never quelled, and the law expects they should do it: this is the notion of the common law, and I beg leave to say, the statute law too.

“Sir, these troops are kept up by annual bills; not for the assistance of the civil magistrate;” [*Our present ministers seem to think, that they are kept up for the assistance of the civil magistrate, and for his assistance only.*] That would be an annual keeping-up of troops for a reason that lasts for ever: [*And therefore, I suppose, they will be always kept up, and if matters continue in their present train, the reasons for keeping them up will be daily augmented.*] They are never kept up but upon great occasions, such as carrying on the war with Spain; there is no intimation that the civil magistrate wants assistance. This will still farther appear from this, (which you will give me leave to say) that no civil magistrate can command assistance from any body of troops; and if the law considered them as necessary to assist him, the law would give the civil magistrate some power to command them there: But when troops do go, they go by virtue of military authority, and act there under military command. Sir, the authority which the law gives the civil magistrate, I speak only of those magistrates that are applicable to the present case, and their defence in the execution of legal commands is this; they may command assistance of every man within their jurisdiction: every man is a constable for keeping the peace, and what is the consequence if they do not obey? They are liable to a prosecution

cution by indictment, or information, and they are clearly so liable. But can any civil magistrate send any warrant to the guards? Sir, the proposition I have laid down, is not with regard to any soldier happening to stand there, but a body under military command.

“Is there such a warrant known to the laws?” [No: but many of our modern ministers think, or at least act as if they thought, themselves above all law.] Would any military officer be obliged to obey it? No, certainly; for if he did not, there could be no prosecution against him. Wherever they go, they go by virtue of military authority, but not by the command of the civil magistrate, because they are liable to no prosecution if they do not obey. When they are there, they do not act under the civil command; if they did, the only consequence of misbehaviour would be, that they were liable to prosecution on indictment or information: but will it be contended, that if a body of troops come there, and any one deserts, is he not liable to be shot to death according to military discipline? If the sheriff was to order a soldier to do one thing, and his officer another, I submit it to you, if he disobeys the officer, whether he must not be tried by a court martial: that shews they go by military authority, and there act by military command. Sir, I beg leave to say, in fact, the civil government of this city is substantially strong to support itself: it has supported itself at every other election throughout the kingdom; [It may have done so then; but some of our men in power seem to have imagined, that it could not do so at the late Middlesex election, without the assistance of Irish chairmen and bludgeons.] and yet there may have come complaints before you, where numbers have been angry at what the returning officer did. [The freeholders of Cumberland, I believe, are not a little angry at what their returning officer lately did; but whether any thing has been done to appease their anger, or whether any punishment has been inflicted upon the returning officer, I have not yet learned.] There is not an imagination of the peace's being broke: what are the guards of the court? The justices: what are the guards of you, but barely the law and the civil authority?

“Sir, I am warranted by the resolution of this House, in the year 1733, to say, that the riots and tumults have passed too near these doors; you sent your commands to the civil magistrate, and instantly all was quiet. Would you, on pretence of keeping the peace, suffer a company of guards to stand in the lobby? [Cromwell, I think, was the only one that ever brought a company of guards to the lobby; and he kept the peace with a witness, for he did not leave a single member in the house; and when it was empty, there could not possibly be any disturbances in it.] “No man, Sir, would wish to live to see that day when the civil government of this country can't support itself without the assistance of the military; [I hope not; as a civil government that cannot support itself without the assistance of the military, ought not to be supported; but every friend to liberty ought to join in pulling it down. Some weak people, indeed, who are apt to mistake a shadow for a substance, believe, that they have already lived to see that day; but how far their opinion is well-founded, I pretend not to determine.] I will be bold to say, when it is not, that civil government is undone; for “it is then not the law, but the military power that governs;” [So I think; and so seems the author of the 50th Number of the NORTH BRITON to have thought: for that writer, almost in the very words, and in perfect conformity to the sentiments, of this speech, lays, “if once matters are brought to such a pass, that the law cannot be executed without a military force, the constitution of “England is overturned from its foundation.” Would not one imagine.

gine, that the author of that paper and the author of this speech, were one and the same person? Or could any one believe, that the author of the speech should be the first person to prosecute the author of the paper? But it is much safer, they say, for one person to rob an orchard than for another to look over the wall.] And I hope, in this country, the bare word of a tipstaff will go as far as the commands of a lieutenant-general. [*But his blows will not go so far; not even so far as those of an Irish chairman.*] I know it will be pressed still farther, but all the argument will hold in general in every case; but suppose a case of most extraordinary necessity, when the civil magistrate is really overpowered, and there is fire set to the town, shall not the troops then be called in to his assistance? I think I put the objections as strong as I can. That fatal argument of contending for an exception to constitutional principles, that fatal argument has brought us many times to the brink of destruction. Nothing is clearer than that no freeman is to be imprisoned but according to law. [*The publisher of the NORTH BRITON has been twice imprisoned, and, on Monday next, will be, perhaps, imprisoned a third time, unless he takes an oath to answer interrogatories. I beg leave to ask, whether these proceedings are according to law?*] What, not if the king knows he is coming to attack him? The argument was specious, and the power of judging was trusted somewhere, and it took away the whole liberty of the subject. Every man was imprisoned for *Mandatum Domini Regis*. There was another resolution taken, that no money should be levied on the subject, but by the consent of parliament: What, not in a case of necessity? They argued, it might in a case of necessity, and that overturned the whole rule; and when money was raised, it was for necessity. Suppose there comes an extraordinary case, never within the intention of the legislature; that produced the dispensing power which dispensed with all the power of the legislature. [*Mr. Murray seems here to allude to the power of imprisoning the person, and levying money on the property of the subject in an illegal and arbitrary manner, exercised chiefly in the reign of king Charles the First; and the power of dispensing with the laws, exercised in the reign of king James the Second; and we all know what was the consequence of these violent and unconstitutional measures. Our late and present ministers have attempted to revive some, if not all, of these antiquated parts of the prerogative. They imprisoned Mr. Wilkes contrary to law: they dispensed with the law in laying an embargo upon the shipping: and the Americans say, how justly I know not, that the taxes imposed upon them are illegal.*] It must tend to lodge a discretionary power with somebody to judge of that necessity. It must be lodged with the military officers, for it will not mend the case if it is lodged with the returning officer. Shall it be laid down, that troops may go to an election? These are fatal arguments indeed! How far is necessity to justify? Is it sufficient that the officer suspects or smells a riot? [*Our ministers, sure, could do no more than smell a riot, when they ordered out the troops that committed the massacre in St. George's Fields; and, in truth, had they not had most admirable noses, they could never have smelt out any riot at all: but some people, they say, have such an excellent scent, that, according to the homely, but significant Scotch proverb, they could easily act the part of a piper's bitch.*] Is it sufficient, when he knows in his own mind he is going to do a thing which ought to provoke the people? [*This is so descriptive of some of our modern Ministers, that one would be almost tempted to think, that the author was endowed with the gift of prophecy, or rather with the characteristical quality of his countrymen, the power of second sight. These ministers first take a step, which they are sure will*

raise

raise a riot; and then they knock the people on the head, for raising that riot, which they foresaw as the necessary consequence of their own wicked measures.] If so, that will conclude a too general discretionary latitude, wherever the returning officer thinks fit to have it; and I believe it will not be much doubted but the military officer will exert himself according to the candidates that send for him.

—If a man will not use the means the law puts into his hands: if he will not prosecute those who refuse to obey him, that makes the civil government useless to serve as a pretence for introducing military troops.

—In case rioters should be pulling down houses, and a detachment of the army ordered in aid of the civil magistrate, and a number of people assemble and stop all the passages, may such detachment use force? I think it is hardly possible for any man to word the questions stronger than this. I believe these questions were proposed by a friend of the army, that they might have a guard upon their conduct. What was the result of this? When it came to be considered how “little the laws of England knew of soldiers;” and how dangerous a motive it was to say on any account the law considered them as legal assistance; and yet how improper it might be to say they should not be made use of; it was thought proper these questions never should be answered, and they never have been answered to this hour.

—The people are almost always in the right: the great may sometimes be in the wrong, but the body of the people are always in the right.” [*Admirable! Mr. Murray: for never didst thou deliver more just, more generous, or more noble sentiments. What pity it is thou shouldest ever have changed them! The people, indeed, may sometimes be in the wrong with regard to foreign politics: but, with regard to the great points of domestic policy, they are not only almost, but without exception always, in the right. They were, therefore, in the right, when they chose Mr. Wilkes for one of their representatives in parliament: they were in the right, when they chose him an alderman of the city of London: they are in the right, when they express their abhorrence of that cruel persecution which has been carried on against him: and they are in the right, when they declare their dissatisfaction with the conduct of our late and present ministers.*] The civil government of this country was never designed to be overawed by the military power. [*No: it never was; and whenever it is so overawed, the government is dissolved, the constitution is destroyed, the people return to a state of nature, and every man has a right to provide for his own safety.*] There is a great deal of difference between leaving it to the people to judge of the necessity, and leaving it to the regular armed troops to judge of it. I am afraid, Sir, experience shews us it may be pretended, nine times out of ten, to be for necessity. Let a man but look to Russia, and observe the necessity there.”

As the servile flatterers of a certain eminent lawyer have frequently complimented him by comparing him to *Cicero*, I think they ought to apply to him the whole character of the Roman orator, or no part of it at all. *Cicero's* character had its black as well as its white side; and if his lordship is desirous of assuming the one, he must likewise be content to take the other. I have, therefore, here given a translation of part of *Sallust's* declamation against *Cicero*; by which the reader will see, that that Great Man had his vices as well as his virtues. But which of these are most applicable to the *English*, or rather the *Scottish*, *Cicero*, I leave to be determined by others.

SALLUST'S

SALLUST'S DECLAMATION AGAINST CICERO.

THE invectives, *Marcus Tullius*! which thou throwest out against me, would give me great pain and uneasiness, did I imagine, that they proceeded rather from a thorough conviction that I deserve such treatment, than from an inveterate habit of flandering others. But since I see, that you have laid aside all regard to moderation and modesty, I will make you the same reply; so that if you have received any pleasure from speaking ill of others, you may now lose it by hearing evil of yourself. But where shall I appeal? To whom, *fathers*, shall I make my complaint, that the commonwealth is torn in pieces, and become the prey of every audacious traitor? Shall I appeal to the Roman people, who are so far sunk in corruption, that they are ready to sell themselves and their families to the best bidder? Or shall I call upon you, *fathers*; whose authority is become the scorn and derision of the most infamous and abandoned part of mankind? Whilst *Marcus Tullius* takes upon himself to defend the laws and decrees of the Roman people, and lords it, in such a manner, in this assembly, as if he were the only remaining branch of the most illustrious family of *Scipio Africanus*; and not, what in reality he is, a *foreigner*, an *interloper*, and but lately made a denizen of Rome.—If the charges of extortion, which your enemies bring against you, are false, give us fairly an account what paternal estate you had left you. Let us know what you have made by *haranguing* and *speech-making*; with what money you bought your house and defrayed the immense cost of building sumptuous villas. Or, if you are silent on these heads, who can any longer doubt that you have extorted your wealth out of the blood and bowels of your fellow-citizens. But is Cicero really possessed of all the virtues ascribed him? No: he is a vain, shuffling, mean, inconsistent wretch; insolent to his friends, cruel to his enemies; sometimes of one party, and sometimes of another; a wavering, unsteady senator, a mercenary patron.—Yet this man, as bad as I have described him, has the impudence to tell me in a wretched distich,

*Fortune fortun'd the dying notes of Rome,
Till I, thy consul sole, consol'd thy doom.*

Was Rome then happy under your consulship? No; most unfortunate and miserable, in suffering the most cruel and unrelenting banishment of her citizens; whilst you, having thrown the commonwealth into disorder, and filled all good men with terror and apprehension, obliged them to truckle to your tyranny; whilst all decrees and all laws were at your disposal; and whilst you, by taking away the Portian law, and seizing on our liberty, assumed into your own hand, the absolute power of life and death over all your fellow-citizens. — You now abet the power and grandeur of those whom you called tyrants; and, on the contrary, call those madmen, actuated by nothing but fury and resentment, whom you formerly esteemed the best men and worthiest patriots in the city. — You commend Cæsar; and are now the most obsequious to those, whom formerly you most hated. You are of one opinion when in power; and another when out of power; and always change your principles with your station. You calumniate this set of men, and hate that, by turns. In short, you are a shuffling turncoat; and no faith hath been found in you, either by one side or the other. D. O.

THE
NORTH BRITON.

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Nunc cum & auctoritatis in me tantum sit, quantum vos honoribus mandandum esse voluistis.
CICERO.

THERE is no part of the English constitution, about which political writers are more agreed, than the legality, the propriety, and even sometimes the necessity, of the people *instructing* their representatives in parliament; nor any, about which they more differ, than concerning the influence, which these *instructions* ought to have upon the conduct of the several members. That the people have possessed, and occasionally exercised, this right from time immemorial, can be a secret to no one, who is, in the least, acquainted with the history of England.

The right, indeed, itself is implied in the very term of *representative*, which means no more than a deputy or substitute; for a deputy or substitute, who is at perfect liberty to act in opposition to the interest or inclination of his principals, would be no deputy or substitute at all: instead of being, as he certainly is, and ought to be, a servant, he would be a master: instead of being obliged to consult the welfare of those by whom he is appointed, he would have it in his power to consult his own welfare, to the neglect, and even to the prejudice, of theirs.

Nor is this right more indisputable in itself, than its exercise hath been frequent, and generally, indeed, effectual; especially in modern times: for it cannot be denied, that, in ancient times, there was seldom any reason, or so much as a pretext, for the exertion of this right. In those times it is well known, parliaments were assembled on some particular emergence of state, and dismissed as soon as the business was over. The people, therefore, were apprized of the occasion, for which a parliament was called, and, of consequence, were enabled to acquaint their representatives with their sense of the matter, before the members came up to town; yet, even in those times, if any thing unusual happened to occur, during the sitting of parliament, the members commonly desired leave to consult their constituents, before they came to any resolution. Of this there are many instances in the English history; but I shall content myself at present, with mentioning only two, which are extremely remarkable.

The first is in the parliament of the 9th of Edward the III^d, "When a motion being made for a subsidy to be granted of a new kind, the commons answered, they would have conference with those of their several counties and places, before they treated of any such matter." The other is in the 13th of the same reign; "The king declared to the parliament, that he, with others about him, stood bound for furnishing him and his allies with 30,000*l*. which he ought to pay, and therefore wanted aid of his commons to pay the same. But the commons made answer, that they knew and tendered the king's estate, and were ready to aid him: only in this new device they durst not agree, without farther conference with their counties; and so praying respite until another time, they promise to travel to their counties, to consult them in this grand affair."

Hence it appears, that, even in those early times, when the prerogative ran so high, that the people may be supposed to have had much less weight in the government than at present, the commons would not agree

to

to any extraordinary measure, until they had consulted those whom they represented, and from whom they derived all their authority.

If we come down to later times, when the practice of long parliaments grew in fashion, we shall find this right of *INSTRUCTING* exerted upon several occasions; and surely nobody will deny, that the exercise of it becomes more and more necessary, in proportion to the length of parliaments; since it is impossible for the people to foresee, at the time of election, what affairs may, in the course of several years, be submitted to the deliberation of parliament: and therefore they must reserve their thoughts to themselves, till some point of moment is actually brought upon the carpet, or discovers itself to the public; and furnishes them with fresh matter of instruction.

Accordingly we find, that this right was frequently exerted, and to very good purpose, in the reign of king Charles the Second; and, in the reign of king William, the freeholders of Kent undertook to instruct, not only their own representatives, but even the whole parliament, in money matters. In the same reign, the city of London, and the borough of Southwark, gave very strong instructions to their representatives. Nor did they confine themselves to matters of a domestic nature: they even entered into a circumstantial detail of the general interests of Europe, and directed their members, in a pretty authoritative stile, how to behave in the momentous affair of peace and war.

The right of the people to instruct their representatives being thus established from the nature of the thing, and warranted by the practice of all former ages; it only remains to consider what influence these instructions ought to have upon the conduct of members of parliament. And here it must be confessed, that, though a representative be a kind of deputy, or substitute, yet is he not obliged, like other deputies, to follow, exactly, the instructions of his constituents, because it may sometimes happen, that the interest of a particular county, city, or borough, may clash with the general interest of the nation, which ought to be the grand object that determines the resolution of every member of the legislature.

But this is the only exception that can be made to the obligation he is under to follow the instructions of his constituents; for if these instructions contain nothing inconsistent with the interest of the nation; and still more, if the points they recommend are manifestly conducive to the interest of the nation; and farther still, if the same points are enforced by similar instructions from other parts of the kingdom; in all, or any of these cases, though a representative may be obliged, by no positive law, to obey the directions of his electors, and though no legal punishment can be inflicted upon him for refusing to obey them; yet is he bound, by all the ties of justice, of equity, and of gratitude, and by every other motive that can work upon a virtuous and ingenuous mind, to comply with the request, and to promote the happiness of those, to whom he is indebted for the seat he possesses in the grand council of the nation. This point, I know, has been strenuously disputed, and even attempted to be entirely overturned, by some mercenary writers, who have had the impudence to assert, that the collective body of the people transfer all their power to those, whom they chuse to represent them, and have nothing farther to do in matters of government, than to yield an implicit obedience to their decisions. But the fallacy of this argument is so gross and palpable, as to impose upon no one, but those who are blinded by the most incurable prejudice. Every man, it is certain, upon his entering into society, resigns some of his natural rights, in order to enjoy the rest with greater security; but no man, nor no body of men, ever did, or ever can resign all their natural rights; or if they should be induced, in some unguarded moment, to take such a dangerous step, they would still have a title to correct it. The right of self-preservation is unalienable in every individual, much more in every community; and no governors, of whatever denomination, can possibly have a privilege to destroy the liberties of that body politic, of which they are, or ought to be, the guardians and protectors.

This was clearly the opinion of the celebrated Mr. *Locke*, one of the greatest politicians, as well as philosophers, that ever appeared in this or any other nation. That eminent writer says, in his *Essay upon Civil Government*, "That the community perpetually retains a supreme power of saving themselves from the attempts and designs of any body, even of their legislators, whenever they shall be so foolish, or so wicked, as to lay
"and carry on designs against the liberties and properties of the subject."

In

In another place, he affirms, "That where the body of the people are deprived of their right, either by the executive, or legislative power, having no appeal on earth, they have a liberty to appeal to Heaven, whenever they judge the cause of sufficient moment." And a little farther on, he adds; "The legislative power acts against the trust reposed in them, when they endeavour to invade the property of the subjects, and to make themselves, or any part of the community, masters, or arbitrary disposers of the lives, liberties, or fortunes of the people."

As the right of the people, therefore, to instruct their representatives, is established upon the firmest and most solid foundation; and as this right has frequently been exerted to the most salutary and beneficial purposes, it must certainly give great pleasure to all the lovers of liberty, to see the exercise of it beginning to revive in the nation. The citizens of Norwich have, to their honour, led the way; the Freeholders of Middlesex and the citizens of Westminster have followed the glorious example; and it is not to be doubted, but the same conduct will soon be pursued by every other county and corporation in the kingdom. In order to produce, as much as possible, this happy effect, we have here given the instructions of these three respectable bodies, beginning with those of the citizens of Norwich, as the longest and most important.

The Instructions of the Citizens of NORWICH to HARBORD HARBORD, Esq. and EDWARD BACON, Esq. their Representatives in Parliament.

GENTLEMEN,

AS it is the undoubted right of all constituents to instruct their representatives in parliament from time to time as they shall see occasion, *we*, a considerable part of your electors, as yet your free and independent electors, take this opportunity to claim and to exercise that right, and to transmit to you our sentiments upon some points, which we look upon to be of the utmost importance at this juncture to the whole kingdom.

We have observed, with concern, the instability of administration, and the distractions which have prevailed in all public councils for these seven years past, and still prevail, to the disgrace as well as detriment of the nation: such a perpetual fluctuation in public affairs must inevitably draw on the ruin of the state, and it is therefore high time that new, permanent, and vigorous measures should be adopted and entered into for its preservation, e'er it be too late. Various are the grievances which call aloud for redress, and some of them we mean to point out to you; and as we have beheld but too many flagrant instances of the venality of the age, and of the corruption of representatives in parliament, by wicked, arbitrary, and oppressive ministers, *therefore*, in order to strike at the root of corruption at once, and to revive the drooping spirit of publick virtue and love of our country; in order to extinguish the false hopes, and to curb the undue, unconstitutional influence of all aspiring and ambitious favourites, we most earnestly recommend to you, and do most strictly enjoin you,

I. To use your utmost endeavours to promote the passing of a new and more *comprehensive Place-bill*, by which all placemen, beyond a limited number, may be rendered incapable to sit in the House of Commons, for which the necessity is but too evident, from the daily increase of places and pensions, and the neglect of bringing in which, as soon as possible, may be fatal to the *constitution*, and to the *liberties* of this kingdom.

II. We recommend to you to use your utmost endeavours, that a law may pass, in the approaching session,

For Restoring Triennial Parliaments,

and for limiting the duration of this present, and all future parliaments, to *Three Years At Most,*

as another great security for the constitution against the arbitrary attempts of wicked and designing ministers; frequent elections depriving them of that enormous influence and power they now have to corrupt the representatives of the people; and to secure a venal majority of members in the House of Commons, which may prevent, defeat, or put a stop to all enquiries into their public conduct: and that a clause be added in the above act, requiring, that, for the future, the oath of bribery and corruption at all elections be taken by the candidates, and not the electors.

III. We request also, and recommend to you to enquire, how it comes to pass, that the eldest sons of peers of Scotland, who are declared incapable to represent any borough or shire in that kingdom, should be permitted to represent any borough or shire in England: and why, when all the commons of Scotland are, according to the act of *Union*, represented by forty-five members in the British parliament, Scots commoners are permitted to represent English boroughs, and to have additional voices in parliament: and whether the permitting Scots commoners, and eldest sons of peers of Scotland to sit in parliament for English boroughs, be not inconsistent with, and contradictory to, the true *spirit* of the act of *Union*: we therefore most earnestly recommend to you to propose an enquiry into the true spirit of the act of Union; and, as far as in you lies, by all constitutional endeavours,

to

to exclude Scotch commoners already elected, exceeding the number of forty-five, and not representing shires or boroughs in Scotland, from a seat and voice in the British parliament.

IV. We recommend to you, and strictly enjoin you to enquire, by what authority it was, that a *representative* of the *people* in parliament was seized in his own house, dragged out of his own house, and, in defiance of the Habeas Corpus act, and *Magna Charta*, imprisoned in the Tower of London; all his papers, the most secret of them, rifled and carried away, under an avowed design of collecting evidence against him for a supposed libel; thereby obliging a free-born Englishman to turn his own accuser, contrary to the known laws of the land. We also desire and expect, that you will use your utmost endeavours to find out by whom it was, that a writ of Habeas Corpus, granted by a chief justice, was eluded, and its authority disobeyed, in time of public peace and tranquility; and the act of Habeas Corpus, that greatest and strongest bulwark of English liberty, broke down and trampled under foot, the powers of which were never known to be even suspended, but in times of public danger, of suspected conspiracies, open rebellion, or when a foreign enemy was in arms in the kingdom. The suspension of the Habeas Corpus act, tho' by authority of parliament, is ever understood to be a suspension of the liberty of the *subject*; and we, therefore, desire and expect that you will enquire by whose advice it was, that private persons in office, armed with that iron-engine of oppression, and bearing that ignominious badge of slavery a *general warrant*, were employed, or set on and encouraged, to dare to do that by themselves, which king, lords, and commons, the three estates of the realm, can only do together.

V. We most earnestly recommend to you to promote an enquiry into the power of an *attorney-general* to file informations *ex officio*, that detestable relique of the star chamber, and to see how far it may agree with the freedom of our constitution; that you will use your utmost endeavours to secure the liberties of the people from all arbitrary and unconstitutional stretches of authority: and that you will promote an enquiry into the power of *judges* to alter *records*, before or after judgment, before or after trial, for the sake of the safety of every subject, and that they may not be liable to ruin at the discretion of any future time-serving and corrupt judge, who, under the golden influence of a court, or the tyrannical influence of a favourite of a court, may, in the process of a few years, over-rule and over-turn all the established *laws of the land*.

VI. We recommend to you to promote a strict enquiry into the public accounts, and the heavy national debt, incurred by the vast profusion of expence attending the late just and necessary war; and above all, to examine into the accounts delivered in by contractors and agents for the army and navy, by comptrollers, directors and commissaries of the office of comptrol, and the commissariate abroad at Bremen in Germany, and by secretaries, under-secretaries and clerks of offices at home, by which such amazing fortunes have been suddenly, and almost instantaneously, acquired by individuals; and, where-ever delinquents are found, to bring all such plunderers of the public to condign and exemplary punishment: and that you will promote a bill for the exclusion of contractors* of all sorts, employed by government, from a seat in the House of Commons.

We most earnestly recommend to you to bear in your minds, on this occasion, and to imprint in your hearts, the last most excellent words and advice given to a British parliament by one of our best of princes:

‘It is always with regret when I do ask aids of my people; but you will observe, that I desire nothing which relates to any personal expence of mine.

‘I am only pressing you to do all you can for your own safety and honour, at so critical and dangerous a time; and am willing that what is given should be wholly appropriated for the purposes for which it is intended.

‘And since I am speaking on this head, I think it proper to put you in mind, that during the late war, I ordered the accounts to be laid yearly before the parliament, and also gave my assent to several bills for taking the public accounts, that my subjects might have satisfaction how the money given for the war was applied.

‘And I am willing that matter may be put in any further way of examination, that it may appear whether there were any misapplications and mismanagements; or whether the debt that remains upon us has really arisen from the shortness of the supplies, or the deficiency of the funds.

‘It is fit I should tell you, the eyes of all Europe are upon this parliament; all matters are at a stand till your resolutions are known; and therefore no time ought to be lost.

‘You have yet an opportunity, by God’s blessing, to secure to you and your posterity the quiet enjoyment of your *religion and liberties*, if you are not wanting to yourselves.

‘But I tell you plainly my opinion is, if you do not lay hold on this occasion, you have no reason to hope for another.’

VII. We also recommend to you, to promote a bill for laying a duty of 10s. per hundred weight on sugar, which, according to the best calculation made by a late great chancellor of the exchequer, (Mr. Legg) universally acknowledged to be the most able financier in Europe, will raise 500,000l. per annum; and to re-

* The nett profits of the tobacco contract alone are estimated in value at 7000l. per annum.

peal thereby the additional tax upon beer, substituted in it's room in the year 1763, and which has ever since been levied with such peculiar cruelty and oppression upon the laborious poor of this great kingdom; the poor, already distressed and almost famished by the high and extravagant prices of provisions and corn; the reduction of which high and extravagant prices we also most earnestly recommend to your consideration in parliament; and that you will use your utmost endeavours to give relief to the crying and very alarming necessities of the indigent and industrious part of the nation, your fellow-subjects, and many of them your *constituents* and *electors*.

VIII. We recommend to you, and strictly charge you, to enquire, and we expect that you will enquire, by whose advice it was, that a separate peace was concluded with France and Spain in 1762, by which a flagrant breach of national faith was committed, being in direct opposition to all treaties subsisting between our gallant ally the king of Prussia, and his late Majesty of glorious memory, renewed and confirmed by his present Majesty after his accession, in a treaty bearing date December 12, 1760, in which is contained the following article:

A R T I C L E IV.

"The *high contracting powers* moreover engage, viz. on the one side his *Britannic Majesty*, as well king as *elector*, and on the other, his *Prussian Majesty*, not to conclude any treaty of peace, truce, or neutrality, or other convention or agreement whatever, with the powers who have taken part in the present war, but in concert and by mutual agreement, and by comprehending each other by name." Signed,

ROBERT HENLEY, C. S.
GRANVILLE, P.
HOLLES NEWCASTLE.

HOLDERNESSE.
HARDWICKE.
WILLIAM PITT.

A treaty of peace was, notwithstanding, entered into and concluded at Paris, between England, France and Spain, without the consent and mutual agreement of the king of Prussia, in defiance of the above article of a most solemn treaty and engagement between his present majesty and the king of Prussia, and within less than two years from the date thereof; by which the honour and *public faith* of the nation became a sacrifice to evil counsellors, and corrupt ministers: and we do, therefore, request of you our representatives, and do hereby call upon you, to use your utmost endeavours to trace out, detect, and bring to condign punishment all such evil counsellors, and corrupt ministers, by whose advice the *national faith* has been thus ignominiously prostituted, and traiterously broke and forfeited.

IX. We do also recommend to you, to promote an enquiry, by which the constitution itself may be examined into, according to it's first original principles: And whereas the eldest sons of *Peers* were never admitted, but always rejected from a seat in the parliament of Scotland, the chief reason for which rejection, amongst others, was, "The enormous and over-bearing influence and power of a numerous peerage, which surrounding the commons, thereby prevented freedom in elections, so that no commoner holding any part of his lands of a peer, or indeed being in his neighbourhood, could be reckoned at liberty to make a free election of his representative." And whereas the peerage of England is exceedingly numerous, and the influence and power of English peers sufficiently known and felt, as well elsewhere as in their neighbourhood, and the freedom of elections as notoriously invaded, notwithstanding repeated resolutions of the House of Commons, declaring, "That it is a *high infringement* of the liberties and privileges of the *Commons of Great-Britain* for any lord of parliament, or any lord-lieutenant of any county, to concern themselves in the elections of members to serve for the *Commons in parliament*:" and whereas nothing can be more extravagantly absurd, or more unconstitutional, than that the sense of the Commons of Great-Britain should be delivered in parliament by peers, and representatives elected by peers, which in effect is the uniting and making but one house of both houses of parliament; therefore, to remedy this dangerous innovation as far, and as soon as may be, and before the fatal consequences to our happy constitution, and the acknowledged right and liberties of the people be spread too wide, and acquire too much strength, so as to bear down all opposition before them,

We do require, and do most strictly enjoin you to move, at the opening of next session of parliament, that a resolution may be passed, "Whereby the eldest sons of peers of England, as well as those of Scotland, may be declared incapable to sit in the House of *Commons of Great-Britain*."

X. We recommend to you, and strictly charge you, carefully and impartially to enquire into the conduct of all such returning officers, of whose proceedings complaint shall at any time be made before the house; and to *do justice* to the nation by bringing all such criminals to condign punishment, who shall appear to have violated the rights of freeholders and legal voters at elections; thereby invading the birth-right and privilege of the British subject, and daringly insulting the *constitution* and *liberty* of their country.

XI. We recommend to you to promote an enquiry into the conduct of the several administrations during the last seven years, and the causes of the late frequent changes and dismissions; and above all, to explore, and to endeavour to trace out and detect the secret influence of that undermining favourite, by whose arbitrary measures, and pernicious counsels, this once happy and flourishing kingdom has been reduced, from a state of power and triumph, of affluence and unanimity, into its present miserable state of imbecility and division, of distress and distraction.

XII.

XII. *Lastly*, We do most solemnly charge you to demand out of custody the person of *John Wilkes*, Esq; knight of the shire for the county of Middlesex, who, tho' a representative of the people duly elected to serve in parliament, was refused bail, and committed to prison on an outlawry, which was afterwards declared, by the very judges who committed him, to be illegal; a man who so steadily defended the rights and privileges of *all the Commons of England* when invaded, and who, with such unshaken intrepidity and perseverance, opposed the arbitrary attempts of ministers and secretaries of state, who presumed to violate, thro' him, the first right of this free nation, the personal liberty of the subject, in the most outrageous and illegal manner; and who still is detained a prisoner in the King's Bench prison. We therefore do most solemnly charge you to demand the person of the said *John Wilkes*, Esq; that he may be enabled to take his seat amongst the duly-elected representatives to serve in the present parliament, lest the continued confinement of a knight of the shire for so great and opulent a county as that of Middlesex, now left without any representation at all, be for ever considered as a most daring insult upon the rights and privileges of the people, an open contempt of the authority of parliament, and an high and unexampled affront to the *dignity of the British House of Commons*.

In full assurance of your faithful discharge of the great trust reposed in you by us your constituents, and of your strict attention in parliament to these our instructions, transmitted to you before the opening of the session, and after repeated promises made to us on your parts, previous to your election, in all the printed papers, and signed with your own names; in full assurance of such your public-spirited conduct, We remain, with great respect, GENTLEMEN,

Your most obedient Servants,

The Free and Independent Citizens and Electors of the
City and County of Norwich.

Norwich, October 25, 1768.

Being the day of his Majesty's happy Accession
to the Crown of these Realms.

The Instructions of the Freeholders of MIDDLESEX to JOHN WILKES, Esq. and JOHN GLYNN, Esq. their Representatives in Parliament.

WE, the Freeholders of the county of Middlesex, direct and instruct you, our representatives in parliament,

I. To endeavour to continue to us, and to confirm our old constitutional and only rightful tryal—by jury.

II. To promote a strict parliamentary enquiry into the transactions of the military in St. George's Fields, on Tuesday the 10th of May last.

III. To promote a like enquiry into the riots and murders committed at Brentford on the 8th of last December.

IV. To examine into the administration of justice in this county; particularly into the present state of the commission of the peace.

V. And, as far as in your power, to promote an enquiry into the rights of the public to the territorial revenue arising from the conquests in India.

The Instructions of the Electors of WESTMINSTER to the Right Hon. EARL PERCY, and the Hon. EDWIN SANDYS, their Representatives in Parliament.

THE instructions of the citizens of Westminster are the same with those of the Freeholders of Middlesex, except that, in the first article, they have made an addition, thus:

To endeavour to continue to us, and to confirm, our old constitutional right of trial by jury, to the exclusion of proceeding by information and attachment in criminal prosecutions.

They have likewise added a fresh article of their own, to this purport: And we do strongly insist, that you never cease your endeavours to promote a parliamentary enquiry into the *case and grievances* of JOHN WILKES, Esq. and to vindicate and support the *rights* of the people, who have elected him their representative.

As the order for the commitment of the publisher of this paper to the King's-Bench Prison, on Monday last, is of a most unprecedented and illegal nature, I have here subjoined it, for the satisfaction of the reader.

Monday next after the Octave of Saint Hilary, in the Ninth Year of King George the Third.

ENGLAND,
the KING,
against

William Bingley.

THE defendant being present here in court appears on his recognizance; and *refusing* to give bail, and also *refusing* to be sworn to answer interrogatories now filed here in court against him, it is ordered, that he the said defendant be now committed to the custody of the Marshal of the Marshalsea of this court, to be by him kept in safe custody until he finds sufficient bail to answer interrogatories; or submits to be sworn to answer such interrogatories.

On the motion of Mr. Solicitor General and Sir Fletcher Norton.

BY THE COURT.

Sold by W. BINGLEY, opposite Durham Yard in the Strand. Where likewise may be had, any of the former Numbers, and complete Sets sewed in blue Paper.

T H E
N O R T H B R I T O N.

NUMBER LXXXVIII. (or XLII. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

SATURDAY, FEBRUARY 4, 1769.

Fœlix! quem faciunt aliena pericula cautum.

To the N O R T H B R I T O N.

S I R,

“**W**ISE men,” says the proverb, “learn prudence at the expence of others: fools never learn it but at their own.” When a man is placed in any new or uncommon situation, if he take a false or unguarded step, he may be excused, inasmuch as it may be difficult or even impossible to foresee the consequence of any particular measure, before you have tried it; but when he, who is placed in the same or in similar circumstances with those who went before him, is, nevertheless, guilty of the very same blunders which they committed, he may safely be called a fool, as the fate of his predecessors should have served as a beacon to guard him against splitting upon the same rocks and shelves upon which they were shipwrecked.

I have, therefore, often wondered at the striking resemblance, that may be discovered, between the principal transactions of the present reign, and some of the most odious and unconstitutional measures, that have disgraced the administration of former English princes. One of the first steps taken, after his present majesty's accession to the throne, was an almost total expulsion of the Whigs from all places of trust and profit under the government; and the admission of Tories, and even of Jacobites, into the vacant offices. This was an exact counterpart to the change of the ministry in the reign of queen Anne; and was probably intended, by the favourite, for nearly the same purpose. The change of the ministry, in the reign of Queen Anne, was manifestly designed to pave the way for the introduction of the Pretender, and the exclusion of the Brunswick family from the throne of these realms; two schemes, which, however wisely laid or artfully managed, were, by the unexpected but seasonable death of the queen, and the violent dissensions that arose among the ministers, in the end most happily defeated. And can it be supposed, that the same men, or body of men, or men at least of the same political principles, who were deemed the most proper for precluding the present family from the attainment of the throne, should yet be the most proper for establishing them in the possession of it? The supposition is too absurd, to be made by any reasonable person. The truth is, I make no doubt but the design of the favourite was to open a door for the admission of his name-sake and relation, by rendering the present family universally odious; and a more effectual method he could not possibly take for accomplishing this wicked and treasonable purpose, than by persuading his sovereign to employ a set of men, who have been always known to entertain principles inconsistent with the liberties and privileges of the people, inconsistent with the bill of rights and the act of settlement, and with all those terms and conditions upon which his majesty's great-grandfather was advanced

advanced to the throne. In this design, however, I hope he will never be able fully to succeed; but that his pernicious arts have already had some fatal effects, must be evident to any one, who observes the avidity, with which the people lay hold of every occasion to express their hatred and aversion to the court; a conduct, sure, which they would never pursue, did they not harbour the strongest suspicions, that the ministers have formed a regular plan to destroy their most valuable rights and privileges. And these suspicions they will always continue to harbour, while any of the Tory party continue in power; but that several of that party still continue in power, is a fact too notorious to be called in question.

True it is, they are no longer possessed, as formerly, of the whole executive power of the state; for the favourite observing that they were so odious to the nation, that, if they continued to be the sole ministers it would be absolutely impossible to carry on the public business, was pleased to admit a few of the opposite party to a participation of places of trust and profit: but, fearful lest these last, by means of their popularity, should supersede the necessity of his own interposal, he determined—and this I mention as another suspicious measure of the present reign—to play the one party against the other. He seems to have thought, and he probably represented to those whom it concerned, that the two first princes of the Brunswick family were little more than mere Stadtholders; that their several ministries were so popular, and consequently so powerful, that they were able of themselves to conduct the affairs of the nation, and that the concurrence of the sovereign could hardly be considered in any other light than as a matter of form and ceremony. Resolving, therefore, to keep all future ministries in an absolute dependance upon himself, he has ever since taken effectual care, that none of them should become too powerful; and this he has been easily enabled to do by composing them of such jarring and discordant parts as can never agree, or act with one uniform and consistent view; but, like dogs in a leash, while some of them are drawing one way, the rest are sure to draw the other.

What may be the consequence of pursuing such a plan I pretend not to determine. All I know is, that this expedient, of playing one party against another, was tried by king William; and that that excellent prince was thereby reduced to such a distressed and wretched situation, that he actually formed a design of abdicating the throne, and abandoning the kingdom; and this design he even carried so far, that he drew up a speech, which he intended to deliver to both houses upon his resigning the government: nor was it till after the most earnest and pressing entreaties of some of his most favourite ministers, who besought him on their knees, and with tears in their eyes, not to take so rash and desperate a step, that he could be persuaded to desist from his purpose. And is it to be imagined, that a scheme, which miscarried in the hands of one of the most able and popular princes, that ever filled the English throne, should succeed in the hands of the most weak and detested favourite that ever appeared in this or any other nation? In a word, it may be affirmed, that no English king can ever enjoy a quiet and peaceable reign, without a popular ministry; and that no English ministry can be popular, without discovering a most tender regard for the rights and liberties of the people: but this is a conduct, that cannot be expected from a motley herd of Tories and Jacobites, who have ever shewn themselves the inveterate enemies of these rights and liberties, and the zealous promoters and strenuous defenders of violent, arbitrary, and tyrannical measures.

Another particular, in which the present reign resembles some of those that have gone before it, is the article of peace-making; for the peace of Paris is an exact parallel to that of Utrecht.

In both cases we had reduced the enemy to the lowest depth of misery: in both cases we begged that peace which we might have commanded: in both cases we restored to the enemy the greatest part of the conquests we had made during the war: and in both cases we suffered them with impunity, to evade the performance of some of the most essential and important articles of the treaty. But there is one circumstance, in which the peace of Paris is more disgraceful than even that of Utrecht. For though in the latter we went a begging for a peace, yet did we not employ any foreign ambassador to go a begging it for us: whereas in the latter we not only employed such an ambassador, viz. the count de Viri, the Sardinian ambassador; but we even settled upon him, for the friendly office, a pension of 1000 l. a year, which he still enjoys.

A fourth point of resemblance between the present reign and some of the preceding ones, is the conduct of the government with regard to the pardon of murderers. It has always been observed, to the honour of King George I. and King George II. that, whatever indulgence they might shew to other criminals, they never shewed any to murderers; convinced, it would appear, that the crime of murder, of all others the most atrocious, should ever meet with the punishment, which the law denounces against it. And so constantly and invariably did they adhere to this maxim, that I believe it would be impossible to produce a single instance, during the whole course of their reigns, where they deviated from it. Earl Ferrers himself, notwithstanding his noble birth, his high rank, his powerful connections, and even his remote alliance to the royal family, was obliged to submit to the fate inflicted upon the meanest felon. But, during the short period of the present reign, we have seen one murderer assisted by those in power to make his escape from the cognizance of the law; and we now see two other murderers, who have been fairly tried and condemned by the law, and who have yet received a respite during pleasure, and will probably receive a pardon. Far be it from me to question his majesty's right to pardon whomsoever he pleases. But I think, at the same time, that every man in this kingdom has a right to express his sentiments, provided he does it with decency and candour, concerning every public measure; and such I take the present to be: and I must freely give it as my opinion, that there are certain cases, of which this is one, where mercy to individuals is cruelty to the public. For these men, besides the crime of murder, of which they have been convicted, were likewise guilty of another atrocious crime in endeavouring to destroy the freedom of election: so that they not only deprived a fellow-subject of his natural life, but likewise did all that lay in their power to deprive the freeholders of Middlesex of their civil life, or liberty. Those ministers, therefore, are highly to be blamed, who advised his majesty to so ill-judged a step as the granting them a reprieve, and will be still more to be blamed should they advise him to grant them a pardon. I know it has been said, that the reprieve was granted at the earnest intercession of Mr. Serjeant Glynn's friends; but suppose these gentlemen, from a principle of humanity, had made such a request, the ministers should, from a principle of justice, have refused to comply with it; and, in order to clear themselves from those black suspicions, under which they now very generally labour, should have allowed the law to take its free course. But it is easy to perceive with half an eye, that the request made by Mr. Glynn's friends was only the pretext, and not the reason, for granting the reprieve; for suppose these gentlemen had made a like request in favour of the coal-heavers, who were lately hanged for assaulting Mr. Green, I should be glad to know, whether the same respect would have been paid to their petition. I believe not. And yet these coal-

heavers were not guilty of any murder: they were only guilty of having attacked Mr. Green's house, and of firing upon his person; and therefore they were convicted upon the Black Act. But the coalheavers were supposed, though I believe very falsely, to belong to the popular party, and therefore they suffered death; whereas the Brentford rioters are supposed, and I believe much more justly, to belong to the court party, and therefore they have got a reprieve, and will probably get a pardon: but if they should get a pardon, with the consent and by the interest of the ministry,—and without their consent or interest they cannot possibly get it—I am afraid the censorious part of the world will be apt to say, that it is very natural for one r—to befriend another. But I find I am forgetting myself; for, instead of a parallel, I have been drawing a contrast: but it is easy to find a parallel in the English history; and the life of king James I. will furnish us with a very curious one. For when that prince heard, that his great favourite the earl of Somerset, and his countess, were accused of being concerned in the murder of Sir Thomas Overbury, he solemnly swore, that, if, upon trial, they should be found guilty, he would never grant them a pardon; and he concluded with praying, that God's curse might light upon him and all his posterity, if he broke his oath. The earl, however, and his countess, were found guilty: James granted them a pardon, and even afterwards a pension: and God's curse, it should seem, did light upon him, at least upon some of his posterity; but whether in the natural course of human events, or as the just judgment of Heaven for the violation of his oath, and his conniving at the crime of murder, every reader will determine for himself, according to his religious or his philosophical principles.

But, of all the instances in which the present reign resembles some of those that have gone before it, the violent attacks upon the liberty of the press is at once the most remarkable and the most alarming. For never, sure, since the accession of the august family of Brunswick to the throne, was so cruel and unrelenting a persecution carried on against any man, as, for these five years past, has been carried on against Mr. Wilkes; and all, too, for no other reason, than his publishing a paper which contains nothing but the strictest truth, and his printing a few copies of a ludicrous poem, which his enemies had no other means of coming to the knowledge of, than by bribing his servant to steal it from him. The illegal seizure of his person by virtue of a general warrant: his commitment to the Tower, where, contrary to the laws and the customs of the realm, his friends were denied access to him: the evasion, in his case, of the act of Habeas Corpus, which, after being granted, was basely as well as unconstitutionally eluded, exactly in the same manner as it formerly had, in the reign of king Charles II. been eluded in the case of Mr. Harrington, author of the Oceana, who, after his friends had obtained for him a like act of Habeas Corpus, was secretly conveyed from the Tower of London to St. Nicholas Island, opposite to Plymouth, where, for want of exercise and fresh water, he contracted the disease which soon after put a period to his life: his doors burglariously broke open, his house robbed, his papers rifled, and exposed to the view of the meanest, the dirtiest, and the most worthless of men, of messengers of state: the repeated attempts made upon his life by secret assassins and open desperado's, some of whom, considering the methods they took to prepare for the combat, can be regarded as little better than downright murderers: his cruel expulsion from a former prostitute House of Commons: his banishment from his native country by means of an outlawry, which hath since been declared to be illegal: and now, at last, his commitment to the King's-Bench prison for the space of two years, as a punishment for an offence, which perhaps,

perhaps, in more mild and moderate times, would hardly have subjected him to the slightest penalty, if indeed it had been deemed worthy of any penalty at all. Such are a few of the many severe and intolerable hardships, which this gentleman has suffered in defence of the liberty of the press, and of many of the other rights and liberties of his fellow-subjects. But for all these hardships he finds a full and sufficient consolation in the esteem and affection of his countrymen, which have hitherto increased, and, I dare say, will continue to increase, in proportion to the cruelty and persecution of his enemies.

Nor is it in Mr. Wilkes's person only, that the liberty of the press has been attacked: the same has been done in the persons of many other authors, printers and publishers, particularly in that of the publisher of this paper, who was imprisoned first in Newgate, afterwards in the King's Bench Prison, and is now imprisoned a third time in the same jail; and imprisoned too upon such terms, as he is informed are absolutely inconsistent with the laws of the land, which neither require nor expect a man to become his own accuser. And yet Mr. Bingley is imprisoned upon such conditions, that he cannot be released without becoming his own accuser, by submitting to answer interrogatories; a species of inquisition, which, even in the despotic reign of King Charles I. when the Star-Chamber was in being and surrounded with all its terrors, and when tyranny lorded it without controul, was deemed a public grievance, and, as such, was opposed by the celebrated Mr. Lilburn, who peremptorily refused to answer interrogatories, as being a method of proceeding that was directly contrary to the spirit as well the letter of the most express statutes. In a word, would the bounds of your paper permit, I think I could draw a very striking comparison between some of the most arbitrary and tyrannical measures in the reign of King Charles I. and those that have marked the conduct of our late and present ministers. But this shall be the subject of some future letter. In the mean time I am, Sir, Yours, &c. F. G.

For the NORTH BRITON.

S I R,

THE following is a Contrast to a scene of Magic inserted in the *Gazetteer* of the 20th of last month.

ACT I. SCENE I.

Bagshot-Heath.

Enter three Wizzards, viz. 1st W. L—d S—h, 2d W. L—d H—x, 3d W. L—d M—h; the last meeting the two first.

THIRD WIZZARD.

Wizzards! How do you and you?
1st and 2d W. How have you done?
and now how do?
3d W. Here I stick to English ground;
Where Diffension runs its round.
All. Out and In, and in and out
Let's go, to turn its wheel about. [*dance.*]
3d W. Whence come you?
2d W. I from Spain.
1st W. And I from France.
3d W. Joy again!
We all have met in —'s reign.
All. Out and In, and in and out
Let's go, to turn the world about.
3d W. What news from France?
1st W. Here I've brought a French-
man's heart:
Read the country from a part.
See, with livid blood 'tis gloated:
See, with vanity 'tis bloated.
See, it aims a grand invasion,
And waits from us to take th' occasion.
Look what I've got!
2d & 3d W. What? what? what?

1st W. 'Tis all damning gold:
For which this kingdom I have sold.
All. Out and In, and in and out
Let's dance, to bring the work about.
3d W. What from Spain?
2d W. More damning gold:
For which the nation's trade I've sold.
All. Out and In, and in and out
Let's dance, to bring the work about.

SCENE II.

Enter P—D—, in the character of HECATE.

YE lazy Wizzards! Imps of Hell!
Your king and country you may sell
At other times, of better leisure,
And wrangle for the hell-born treasure.
I, your mistress, hurry-scurried,
By dogs of Liberty am worried,
That howl against me, as the Moon
Running to her mid-night noon,
To stop me in my magic charms,
And fright Endymion from my arms:
Bite them with state-venom'd adder;
Drive them madder still, and madder,
Till the whole fraternity
Hang upon the fatal tree;
And, first Chaos come again,
We enjoy Confusion's reign.

1st W. By the starting of our wands,
And now trembling in our hands,
That wayward son of Liberty,
WILKES, comes boldly on, to free

The

The world, at some unguarded hour,
From our mysterious arts and pow'r.

Hec. Bring up Hell's guards! Ye
Furies, dart

Your hissing snakes, and sting his heart.

2d W. He comes upon us still by
Virtue's force:

Some magic spell must stop his course.

Hec. Then draw the magic circle
round,

And keep him from this council-ground.

All. Out and In, and in and out

Let's draw the magic line about.

Hec. Raise the cauldron.

(The Cauldron rises.)

Let us throw in
Charms to work up his undoing.

All. In and Out, and out and in,
Let's turn, the bus'ness to begin.

3d W. In the cauldron see I cast
A North-wind's foul mildewing blast,
For th' affront, of want of breeches,
He gave our fav'rite land of witches.

1st W. Here I throw in wither'd slips
Of wormwood, pluckt in sun's eclipse,
T' embitter his fond draught of pleasure,
Either from court or city-measure.

2d W. Here I throw a bailiff's warrant,
Or order from a knave as arrant,
To fling him debtor into fetters,
Or bring him culprit 'fore his betters.

Hec. These are too weak, bring higher
charms;

The Public hold him i' their hearts and
arms.

From that sanctuary strive
Th' opposer of my rule to drive,
Or I this instant break your wands,
Which all your magic pow'r disbands.

3 W. Lies, which from a priest I stole,
The underworking brain of mole;
Schemes, by spider-statesmen spun,
Fears, which their own shadows shun;
Wants of courtiers, quickly sprung
From infamy, as weeds from dung;
Arts of statesmen, still deceiving
Th' ears of monarchs, still believing;
Spleen of clergy, that invent
Blasphemies, tho' never meant,
To force the guiltless to repent;
Scandal, born of Maid of honour,
The brat of Lust begot upon her;
Falseness, that, with forked tongue,
Libels made and ballads sung,
And on others lays the deed,
Believ'd as strong as pray'r or creed;
Fraud, that spreads its artful web;
Malice, caught at tide at ebb;
Slander, that, without a stroke,
Like worm, eats thro' hearts of oak.
These, still working by expedients,
Are the course of first ingredients,
Which poison make for Common Sense,
In which he places his defence.

1st W. Higher mischiefs of the State
Shall promote the public hate.
Flat'ry, that sure footing gains,
Denying ever what it means;
Hypocrisy, that blasts with blessings,
And Pedantry, that cants its lessons;
Fat Luxury, that highly treats,
And eating drinks, and drinking eats,
Extravagance, that vainly feasts
On pleasure, which it seldom tastes;
Chicane of law, that draws a line,
Much for human sight too fine;
Perjury, with loss of ears,
Still of use, as still she swears;
Theft, that by a glow-worm light
Acts the deeds of day by night;

Riot, with its frantic mind,
Blood-shed tracing it behind;
Murder, practising its mark,
Ev'n to hit it in the dark.

These have powerful resistance
'Gainst Virtue, and 'gainst her Assistants.

2d W. Materials stronger here I
cast-in,

To make the poison good and lasting.
Of all the instrumental tribe
Of mischiefs, nought exceeds the bribe:
The working evil of the State.

Hec. Of that put in sufficient weight.

2d W. Gleanings of the public treasure,
Here ready parcel'd without measure.

1st W. Places, ne'er by fools refused,
And ever by such fools abused.

3 W. Here are pensions, standing fees
To hired slaves of all degrees.

1st W. Here commissions, understood
The ready price for shedding blood.

2d W. Deanships, bishopricks, and
livings,

1st W. And other sacerdotal givings.

3d W. As ever found of energy,
To buy the conscience of the clergy.

2d W. See the potion fiercely burns;
See now, it to corruption turns.

Hec. Stay your toil, the charm is wound,
The Furies have the Champion bound.

I see their snakes, in knots combined,
Around his arms and heart entwined.

All. Out and in, and in and out

Let's go, to bring the world about.

——Dance.

——Reverse.

In and out, and out and in
Let's dance to Infamy and Sin.

S C E N E III.

(Music in the Air.)

HECATE.

HARK! the aerial Spirits sing:
Hear the tidings that they bring.
Soft! amidst the varying noise
I hear distinct the leading voice.
'Tis England's Genius. Hark!—
now nigh,

He sings to us some destiny.

The Genius of England appears above.

GENIUS.

Ye Sprites of Hell! Ye Demons dire!
Children of infernal fire!
Cease your rites, your charms are o'er
Conquer'd by an higher Pow'r.
Time, that can all anguish heal,
Shall soon against your deeds prevail.
Fourteen moons shall fill their spheres,
And drop, instead of dews, their tears,
Whilst your arts my WILKES shall chain,
And sons, within your iron reign.
Then, as all things winde their course
By some Fate's directing force,
Truth, bright rising like a sun,
Shall thro' enlighten'd ages run.
Then Liberty in health shall bloom
To Britain, thro' all time to come.
The standard, upon which entwined,
Grateful to the human kind,
Justice, general love and peace
Shall grow, and still from year to year en-
crease.

*The clouds descend. The Genius dis-
appears. Thunder and Lightning.*

*The cauldron sinks. Hecate and
the Wizzards vanish, crying off*

All. To Hell, to Zell, to Hell, to Zell
Let's take flight,

In dismal night

There let's dwell, dwell, dwell, dwell.

END OF THE FIRST ACT.

To the Gentlemen, Clergy, and Freeholders of the County of
M I D D L E S E X.

G E N T L E M E N,

THE proceedings of yesterday in the House of Commons fill me with the deepest concern, and I can truly say, much more on your account than my own. I cannot be deprived of the glory of having been chosen a representative in parliament for the first county in England; but I feel with anguish of heart, that the present Ministry have found means to suspend for some time the plan of usefulness to my constituents, and service to this kingdom, which I had meditated. What adds however the most to my grief is, the melancholy reflection that by my expulsion the Ministry have thus openly shewn, that they entertain no scruple of violating the sacred rights of the people, even in the most important case, that of having a deputy nominated by themselves to the great council of the nation. They have in the instance of yesterday robbed a very respectable part of this kingdom of their noblest inheritance, of their share in the legislative power. No set of men in this nation have hitherto ventured so grossly to abuse the trust reposed in them, nor to give so fatal a stab to the vitals of our country. The threatening aspect of all our public affairs does not present any thing equally alarming, except in the late instance of ruffians hired to be your assassins and the murderers of the constitution at our last county election, whom public justice and an honest English jury have hitherto in vain sentenced to death. I think with horror on what we may in future dread for the liberties of all the Commons of Great-Britain from so despotic an Administration, if our gracious sovereign should much longer continue to them the power of the state.

Permit me, Gentlemen, to renew to you the assurances of inviolable attachment to your service and the cause of liberty, to which my life is dedicated. My courage is not appalled, nor my spirit in the least abated. I will carry with me to the grave an unshaken fidelity and ardent affection to you and to this country, an invincible hatred and opposition to it's enemies. I hope still to give you further proofs of my sentiments by my parliamentary conduct. I flatter myself that the relation between us, which subsisted yesterday, although now dissolved by the violence of arbitrary ministers, will in a short time again take place. Every mark of your regard I shall value in a high degree, and I trust that my conduct will convince you, that I am not quite unworthy of the choice, which I have now the honour of humbly soliciting.

I am strongly influenced on this occasion by a particular reason, which strikes me very forcibly, and I believe will have the greatest weight with you. It is, that by a second choice of me for this county, you, Gentlemen, the independent freeholders, will assert the clear right you derive from the constitution of naming your own representatives. If ministers can once usurp the power of declaring who *shall* not be your representative, the next step is very easy, and will follow speedily. It is that of telling you, whom you *shall* send to parliament, and then the boasted Constitution of England will be entirely torn up by the roots. The parliaments of Great-Britain will become not only as insignificant as those of France, a mere state-engine of government, but a grievous burthen and infinite mischief to the nation. The present great crisis affords the opportunity of asserting your most valuable privileges, and of shewing yourselves superior to the insolent mandates of a minister, who has the presumption to treat Englishmen as slaves.

The rights of this free kingdom, Gentlemen, have been frequently violated in my person. You have now in me the opportunity of vindicating them, and I hope without the reproach of vanity I may add, that my firmness in the support of our common liberty, under circumstances equally perilous and intricate, has secured me your confidence, and will be considered by you as a proof that you may again safely honour me with this fresh testimony of your esteem, the chusing me a second time the representative of my native county in parliament.

I am, G E N T L E M E N,

With true regard and gratitude,

Your most obedient, and

King's Bench Prison.
Saturday, February 4, 1769.

affectionate humble servant,

J O H N W I L K E S.

THE CHURCH OF THE HOLY TRINITY
1840

THE CHURCH OF THE HOLY TRINITY
1840

JOHN WILKINS
1840

A

NORTH BRITON EXTRAORDINARY.

NUMBER LXXXIX. (or XLIII. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

MONDAY, FEBRUARY 6, 1769.

Servi are parati injusta imperia

Dominorum non perferunt : vos,

Quirites, imperio æquo animo

Servitutem toleratis?

SALLUST.

AT this very dangerous and alarming period, when it seems really to have become a question, whether we shall any longer enjoy those sacred rights and privileges which were transmitted to us by our gallant ancestors, or be reduced to the base and abject condition of slaves under a few arbitrary and despotic ministers, we hope our readers will excuse us for troubling them so soon with another Extraordinary North Briton; especially as they will perceive, that the publication of the following Address could admit of no delay, and as we hereby assure them, that this is a liberty, which we shall never presume to take, except upon the most important and interesting occasions. We have at the same time, in order to make up the quantity required by the statute, added another short essay, which we flatter ourselves will be found neither un-entertaining, nor foreign to the purpose.

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I am, GENTLEMEN,

With true regard and gratitude,

King's Bench Prison.
Saturday, February 4, 1769.

Your most obedient, and

affectionate humble servant,

JOHN WILKES.

To the NORTH BRITON,

SIR,

DOCTOR SMOLLET, in his work, intituled *The Present State of all Nations*, inform us, that "an Englishman is
"neither tenacious of resentment, nor addicted to revenge; but
"COMPROMISES differences, and forgets injuries, easier and
"sooner, than the natives of some other countries could well imagine."

I doubt not but the historian, who, as I understand, is *not* a native of England, had this circumstance from his own experi-

ence.

ence, and threw out this intimation to his countrymen not to be too apt to lose their patience, when a grumbling Englishman mentions the provocations he has had from them and their chieftain, nor to *blink their cheer*, when even a groupe of Englishmen, by a vociferous repetition of the number *forty-five*, reproach them with their doings at two or three several periods of time, for which a certain *faction* thinks the nation hath not yet had any competent satisfaction. He means to tell them, that all will end in an amicable *compromise*. And he hath reason.

We are, indeed, become a people of *compromisers*. Without *compromises*, there is no going forward with public business. We are obliged to them in every department of government. They are of sovereign use and virtue in treaties of peace, in publick contracts, in shifting administrations, and, above all things, in popular elections, of which the following narrative, which I transcribe out of an old news-paper, affords a striking instance.

“ It is said, a person, lately under sentence of death, got a
 “ respite, on condition that his two brothers, and several of
 “ their neighbours, who were all freeholders for a certain great
 “ county, voted for a particular candidate.”

When this news was fresh, I remember the ill-natured *Faction* had the assurance to say, “ They had often heard of
 “ compounding felonies, but never before of compounding an
 “ execution.” It is in vain to call upon some sorts of people to *distinguish*. It is plain the transaction was a mere innocent *compromise*. And if such things cannot pass without reflection and opposition, how shall administration pursue that salutary system of operations, in consequence of which we prosper and flourish beyond the examples of former ages: and all by the means of seasonable and judicious *compromises*.

Every one knows, that very awkward things happen oftentimes to the most adroit and penetrating statesmen, in the course of their occupations, which cannot always be foreseen. Sometimes a man of the long robe, sometimes a man of the truncheon, or perhaps of the mitre, takes occasion to be affronted at some disappointment, which raises popular discontents that would not otherwise have been thought of. Sometimes the popularity of an accomplished Rhetorician is grievously troublesome

some to those at the helm, and has even been known to obstruct the *natural* rotation of business, till a soporifick could be found: which, however, has not always been ready at hand.

I could mention some late alarming instances of this kind, upon which *opposition* became wonderfully elated, and administration as much dismayed. But, behold! when all faces were full of expectation and anxiety, the minds of all men (the faction excepted) were calmed and settled at once by a dexterous *compromise*, even at the moment when some, who were relieved by it, thought no more of *respite*, than the poor rogue above-mentioned had reason to do, when sentence was pronounced upon him at the Old Bailey.

For my own part, I have often thought it one of the greatest improvements in modern policy, that pensions, peerages, governments, &c. which our simple ancestors formerly applied as remunerations for what they called *public services*, are now kept up, among other public stores, as oil for the wheels of state, and wholly appropriated to the uses of *compromising*. The people, at whose estimation they were formerly bestowed, are, and always have been, the worst judges in the world of *public services*. The people, I suppose, would think the poor fellow mentioned in the above paragraph, ought to have been hanged at all events. But let us state the case at the very worst. Suppose the fellow, after he had thus escaped, broke another half-score houses, or pistoled a passenger or two, who were not sufficiently tractable for his purpose; what is all this to the benefit a great county certainly would, and the whole kingdom probably might, reap from the close and dutiful adherence of an assiduous friend to the measures of a wise and virtuous administration? And here I cannot avoid recommending to the present ministry to make a like *compromise* with the two *Brentford convicts* in Newgate, on condition that they exert themselves with the same spirit and activity at the ensuing Middlesex election, as they did at the last.

Faction, we know, gives ugly names to the most laudable measures of government. Faction talks of bribery and corruption, and a thousand other wickednesses, comprehended, as they would have it believed, in the commodious term of *compromising*. These sons of *Dathan* pretend, that there are
many

many of these *compromises* in which the public ought to be a party, as the public, generally speaking, pays the valuable consideration. O to be sure! And what do you think might be the consequence? Why, perhaps, some of the principal *compromisers* might be impeached. Such things, we know, have been talked of; but, thank our stars, hitherto without effect. It is, indeed, an idle notion, entertained by none but those who do not know that *impeachments* are of a nature to be *compromised*, as well as other things. What greater difficulty can there be in *compromising* an impeachment, than in saving a poor cut-purse from the gallows, for value received *per* half a dozen votes.

These considerations incline me to exhort my countrymen more and more to merit the character, which the abovementioned author gives us. It is of no little moment to the routine of our public affairs, what *the natives* of ONE other country may think of us: and I am the more earnest in these my admonitions, as, methinks, I perceive this amiable spirit of *compromising* verging towards a decline, and in a way to involve all in a most terrible confusion. I take this hint from the late conduct of two of the most untractable mortals, that perhaps have been heard of within half a century; one of whom has resisted the most advantageous overtures of a *compromise*, even at the hazard of incurring the wrath of more than one native of another country; in consequence of which he is in a fair way of lying by the heels for a year and a half: and the other has been seen steady, intrepid, and determined, amidst the menaces of brickbats and bludgeons, rather than come into a peaceable and profitable *compromise*, which would have left him and *forty-five* more at least, in honourable ease and tranquility.

For my part, I dread the consequences, should this obstinate humour prove catching. The issue can be no better than forfeiting the friendship and estimation of *the natives* of another country, who, as sure as ever they see an end of *compromising*, will certainly withdraw themselves, with the pillar of all our hopes of peace and plenty at their head, and leave us to fall by our own perverse devices. I am, Sir, &c. A. B.

ERRATUM in our last Number, p. 539, for *latter* read *former*.

Sold by W. BINGLEY, opposite Durham Yard in the Strand. Where likewise may be had any of the former Numbers, and Complete Sets sewed in Blue Paper.

T H E
N O R T H B R I T O N .

NUMBER XC. (or XLIV. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

S A T U R D A Y , F E B R U A R Y 11, 1769.

*As a BAD KING must stand in awe of an HONEST PARLIAMENT,
so a CORRUPT HOUSE OF COMMONS must stand in awe of an
HONEST PEOPLE.*

BOLINGBROKE'S Dissertation upon Parties.

AS it is now become a pretty general, and, it is to be hoped, will soon become the universal practice for *the people to instruct their representatives in parliament*; and as we gave, in the 87th number of the *North Briton*, the *Norwich, Middlesex and Westminster Instructions*, and in our 74th number made some remarks upon the two first of the *Norwich Instructions*; we shall in this paper proceed, with the same freedom, to make a few observations upon the remaining part of these important injunctions.

The third article of the *Norwich Instructions* is of a very curious and interesting nature. It relates to the eldest sons of Scotch peers, who are declared incapable to represent any shire or borough in Scotland, being permitted to represent shires or boroughs in England, and to Scotch commoners being unwarrantably indulged in the same liberty. The former of these is plainly inconsistent with the spirit of the constitution; the latter, with the spirit of the union. For when that great incorporating act was passed, it was solemnly stipulated, that the commons of Scotland should be represented in the British parliament by forty-five members; and though no clause was added, expressly excluding them from the privilege of representing English boroughs, yet was it tacitly understood, that they should be so excluded. But so little has the spirit of that treaty been regarded, that there have been in several preceding parliaments, and there are, I believe, in the present parliament, above twelve Scotchmen representing English boroughs; an encroachment upon the English privileges, so much the more inexcusable, as there has not been, to the best of my knowledge, any instance of an Englishman representing a Scotch borough, till the present period, when there are, I think, two Englishmen who represent such boroughs.

True it is; that, by the act of union, the distinction between the two nations was formally abolished; but it is not in the power of statesmen or politicians to abolish so easily the difference

rence

rence of manners and customs between people of such opposite tempers. The English have always, at least for these two centuries, breathed a very republican, or democratical spirit: whereas the Scots, on the contrary, have ever, till of late, breathed a very monarchical, or more properly an aristocratical spirit; for the whole landed property of the kingdom being held by a few great chieftains, the people were thereby accustomed to pay the most blind and implicit obedience to the commands of their superiors; and being almost totally destitute of that middle rank of men, who live by trade, and are the surest support of every popular government, they never had, till the union of the two kingdoms, any just idea of a free constitution. Hence it is, that, however turbulent they may be in other respects, or rather however ready to follow the standard of any discontented nobleman, they have always discovered a stronger inclination, than their brethren in England, to an arbitrary or despotic government.

But it is not merely from the force of habit, that the Scots are at present so zealous for what is miscalled the support of government: they are actuated by a more powerful and more selfish motive, namely, by interest; for it ought to be considered, as an additional argument against admitting Scotchmen to represent English boroughs, that the share which they have in the legislature and in places under the government, is greatly beyond the proportion they bear in the public taxes. The Scots do not pay above one fortieth part of the taxes; and yet they enjoy (even exclusive of those of their countrymen, who represent English boroughs) about one twelfth of the legislative authority, and perhaps one third, at least one fourth of the places under the government. Nay, what to some people may seem surprizing, all the taxes paid by the Scots, are not sufficient to defray the expences of their own civil list, and money must be sent down from England to make up the deficiency. There is, therefore, nothing strange in hearing the Scots bawl out, as they constantly do, for supporting the government; which, as matters now stand, means nothing more, than that they would be glad to see the ministry squeeze as much as possible from the English, that they themselves may come in for their share of the plunder. And indeed it is certain, that, as far as relates to the carrying any arbitrary or oppressive measure, they are never backward in contributing their assistance to the support of government. They are always to be found in the train of the minister for the time being: and as the Scotch peers and bishops are said to be the dead weight of the upper house, the Scotch commoners may as properly be said to be the dead weight of the lower; and if, by permitting them to represent English boroughs, this weight should increase to too great a degree, it may at last become so heavy, as to bear down the constitution by its intolerable pressure.

The fourth article of the *Norwich Instructions* refers to the cruel and barbarous treatment *Mr. Wilkes* has met with from the ministry; but this is a subject, which is so copious in itself, and hath been so frequently touched upon in the course of this paper, that I must decline entering into it at present. I will only observe, that he who has received an injury, may sometimes forgive; he who has done it, never can. And the ministry, conscious of the many illegal and unconstitutional acts of which
they

they have been guilty in their persecution of this gentleman, seem now determined to crush him at once; apprehensive, it would appear, lest should he weather the storm, he might make the penalties of the law fall upon their heads with tenfold vengeance. And possessed, as they are, of the whole executive, and would to God! I could not say, the whole ——— power of the state, they have the means of his destruction entirely in their hands. But let them take care:

———— incedunt per ignes
Suppositos cineri doloso.

The people will bear to a certain point; but to discern that point requires a greater knowledge of human nature, and a more intimate acquaintance with the spirit of the times, than any of them as yet seem to have attained. Great events have frequently arisen from little causes—if indeed this can be called a little cause—and after they have happened, purblind politicians hold up their hands in amaze, and exclaim, *who would have thought it!* Aye, indeed, *who would have thought it!* This exclamation, I dare say, has been often repeated by many a wiseacre since the beginning of last April.

As to the power of the Attorney-General to file informations *ex officio*, and the Power of judges to alter records, the two grievances, the redress of which is recommended in the fifth article of the *Norwich Instructions*: these too are points which have been so fully and circumstantially discussed in the preceding numbers of this paper, and in other periodical productions, that it would be altogether superfluous to enter here into any farther examination of them. It may, however, be remarked, that while these two powers are suffered to continue, no man can be secure of his liberty or his property. The first may be attacked by a time-serving judge, who, by altering a record, according to his arbitrary will and pleasure, at the very instant of trial, may procure the condemnation of almost any man, however innocent; the second may be invaded by a prostitute Attorney-General, who, by filing successive informations in the Court of King's Bench, allowing the prosecution to proceed to a certain length, and then stopping it by a *noli prosequi*, may reduce any man to a state of absolute beggary: two instruments of tyranny, which are a disgrace to any civilized society, much more to any free government; which a virtuous ministry can never want, which an able ministry would scorn to employ, and which, however formidable they may appear in the eyes of some men, can never protect a weak or wicked ministry from those severe but just animadversions, which a bold and spirited people will make upon their conduct.

In the sixth article of the *Instructions*, the Citizens of *Norwich* recommend to their representatives, to promote a strict enquiry into the public accounts, the enormous increase of the national debt, and the immense fortunes raised by contractors and agents for the army and navy, by comptrollers, commissaries, secretaries, clerks, and by all the numerous fry of ministerial dependants. This, it must be owned, is a wide and extensive field, which, though often carefully beat by a number of enquirers, has never yet been sufficiently explored and investigated. And were we to affirm, that the little economy, or rather the scandalous prodigality

prodigality, observed in the management of the public money, and the vast estates made by those through whose hands it passed, from the first ministers of state down to the meanest and most contemptible of their creatures—who, now blind with the dust, or bespatter with the dirt of their chariots, those who must trudge it on foot, and who yet would not formerly have looked upon them as their equals—were the real cause of most of our national grievances; of the high but fluctuating price of provisions, by the too great accumulation of wealth in the hands of a few overgrown courtiers, and the consequent diminution of it in the hands of the people; of the weakness and instability of the government, and of the jealousies and discontent of the people: were we, I say, to affirm, that the former of these are the real cause of the latter, we should not, perhaps, be very wide of the mark. As to the advice, which the citizens of *Norwich* give to bring all plunderers of the public money to condign and exemplary punishment; I am afraid they may live a long time, before they see such an instance of national justice. Great men, it is true, are sometimes foolish enough in all conscience, but I believe they are not yet quite so foolish as to turn their own executioners. With regard to the repeal of the additional duty upon beer, and the reduction of the high price of provisions, which the citizens of *Norwich* recommend in the eighth article of their Instructions, I shall only observe what is universally known, that in the former of these points, the public was imposed upon in a most egregious manner. The government laid an additional tax upon beer, the brewer doubled, the publican tripled it; and thus the people pay three or four times more than the government receives from the additional duty. But while every man thinks he has a right to make a fortune by fair means or by foul, why should the brewer and the publican be deprived of the same privilege? As to the reduction of the price of provisions, that, I'm afraid, is the same in politics as some *disiderata* in philosophy: 'tis a thing which we are always in quest of, and sometimes think we have found out, but are never able fully to discover. The constituents, indeed, mention one circumstance of a very moving nature, namely, that they themselves are in the class of those who feel most severely the present high price of provisions: an argument very probably, which, they imagine, will have a powerful influence upon the conduct of their representatives; but how far they may be right in their conjecture, 'tis impossible to determine. All I can say for their comfort is, that, if they can contrive to keep Lent for one six years longer, they may then expect a belly-full.

The eighth article contains a charge to enquire into the conduct of the ministry, in the year 1762, in concluding a separate peace with France and Spain, without the concurrence of our magnanimous ally, the king of Prussia, in direct violation of the most express treaties, and to the disgrace of the national faith and honour. But the citizens of *Norwich* might have saved themselves the trouble of drawing up this instruction, had they recollected, that that peace was made by a Tory ministry, who have always entertained a warm affection to the Bourbon family, as the only power that can bring about a certain event which they have long wished to see accomplished, and an unconquerable aversion to the

the Protestant states on the continent, as the powers most likely to obstruct the execution of that favourite project.

In the ninth article, the Instructors express their apprehensions, that the practice of chusing the eldest sons of peers as members of the Lower House, has a natural tendency to destroy the ballance of the constitution, to unite the two houses into one, and to convert our mixed government into a pure aristocracy. It cannot be denied, that this has been the opinion of some of the most sound and able politicians that ever appeared in this island. But others are of a different way of thinking. They pretend to discover great advantages resulting from this practice; they say, that it preserves a harmony and good understanding between the two houses; and that, whereas formerly the lords and the commons were engaged in almost perpetual disputes about their respective privileges, they now carry on the public business with the most perfect unanimity and concord; so that to them we may very justly apply the exclamation in Scripture. *Behold, how good and pleasant it is for brethren to dwell together in unity!*

The tenth article points at the partial proceedings of returning officers, and seems to be particularly levelled at the unwarrantable conduct of the returning officer for the county of Cumberland; and the freeholders, I believe, may rest assured, that, if there be such a thing as justice in the nation, this gentleman will not escape unpunished.

In the eleventh article, the instructors endeavour to probe the wound to the core, by advising a strict and severe scrutiny into the secret influence of that wily and undermining favourite, who, for these eighty years and upwards, has been the *primum mobile* of all our public measures, and particularly of that odious measure, which, but a few days ago, alarmed the whole nation, and which, it is confidently affirmed, he planned in his closet before he left England. But how long the interest of a great, flourishing, and populous kingdom, shall be sacrificed to the ambition or caprice of a hated favourite, is more than I, or you, gentle reader! though more knowing than I am, can with certainty foretell.

In the twelfth and last article, the instructors enjoins their representatives, in the strongest and most solemn manner, to use their endeavours to procure the release of *Mr. Wilkes* from prison, and to enable him to take his seat in parliament. But little did they think, at the time of framing these instructions, that that gentleman would be so soon deprived of his parliamentary character; though it is to be hoped, in spite of all the secret machinations and open attempts of his enemies, he will in a few days recover it with fresh glory and lustre; and that, notwithstanding the confident assertions of the tools of the ministry, he will be permitted to take his seat for his native county, by the other representatives of the people, conscious, as they must be, that they themselves hold their own seats by no other or better title, than the free choice and election of their constituents.

The citizens of *Norwich* wind up their instructions by reminding their representatives of the solemn promises they repeatedly made in print before they were chosen, that they would comply with the injunctions of their constituents; and the like promises,

if

if my memory does not fail me, were made by many other candidates during the late general election; but how far they will think themselves bound, when put to the trial, to fulfil these engagements, time, the great discoverer of truth, can alone determine. The reflections I have to make upon the *Middlesex* and *Westminster* instructions, I must reserve for a future occasion.
D. O.

NORWICH.

Extract from a letter to Mr. WILSON of this Place, dated Piccadilly, Saturday, Feb. 4, 1769.

— My gout prevented my attending the House of Commons the other days, when *Mr. Wilkes* was brought up, but on Thursday I was able to get there. I took out my pencil as soon as he began to speak, and wrote down exactly what he said, which I will answer for being *verbatim* as follows.

Mr. Speaker,

I acknowledge that I transmitted to the press the *Letter of the Secretary of State*, and that I wrote and published the *Prefatory Remarks* to it, and, Sir, whenever a Secretary of State shall dare to write so bloody a scroll, I will thro' life dare to write such prefatory remarks, as well as to make my appeal to the nation on the occasion. I ask pardon, Sir, that I made use of too mild and gentle expressions, when I mentioned so wicked, so inhuman, so cowardly a massacre, as that in St. George's Fields on the 10th of May. I pledge myself to the House, that whenever a day shall be appointed to make this important enquiry, I will bring evidence here to prove the truth of every word I have asserted. I hope the House, Sir, will send for Mr. Ponton, and examine him, whether he did or did not receive that letter from the Secretary of State. If he answers in the affirmative, I am sure from the virtue of this House that they will immediately order an *Impeachment* against the Secretary to be carried up to the Bar of the House of Peers.

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T H E

N O R T H B R I T O N .

NUMBER XCI. (or XLV. of the CONTINUATION.)

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S A T U R D A Y , F E B R U A R Y 18 , 1769 .

A People, who will maintain their LIBERTIES, must pray for the blessing of JUDAH, to avoid the fate of ISSACHAR; the greatest curse, which can befall them. Far from jogging on silently and tamely, like the Ass between two burthens, such a people must preserve some of the fierceness of the LYON, and even make their roar to be heard like his, whenever they are injured, or so much as threatened.

OLDCASTLE's Remarks on the Hist. of ENGLAND.

WHEN I first undertook the continuation of the NORTH BRITON, I pledged myself to the public, that I would endeavour, through the course of it, to act the part of a faithful monitor to the ministry, and a watchful guardian of the liberties of the people; and this promise I have hitherto, with whatever ability, yet with the strictest integrity, performed. As I am now come, agreeable to an intimation in a former paper, to the close of the first volume, it may perhaps be expected, that I should here give a recapitulation of the different subjects I have treated, of the public grievances I have occasionally explained, and of the great constitutional points which I have laboured to establish. But from this review (which I reserve for another opportunity) I am at present diverted by a more temporary and interesting object, namely, by the *London Instructions*; a short commentary upon which, and upon those of *Middlesex* and *Westminster*, shall form the subject of this week's paper.

I shall begin with the *Instructions* of *Middlesex* and *Westminster*, as prior in time, though not importance. The *first Instruction* of the freeholders of *Middlesex* relates to the securing the right of trial by jury; a right enjoyed by the people of this island from time immemorial; a right, however, which is shamefully invaded by the laws of Excise, and would have been still farther invaded, had the odious tax upon cyder continued; and a right, moreover, which is as shamefully and unconstitutionally, and it may even be said illegally, invaded by the method of proceeding in criminal matters by *information* and *attachment* in the court of *King's Bench*, of which the situation of the unhappy publisher of this paper furnishes a very striking and alarming proof. But as his case particularly seems to have given occasion to this instruction, we shall forbear to make any farther remarks upon it: only we cannot omit the present opportunity of returning our most sincere and hearty thanks to those worthy patriots, who, amidst the other objects of their concern, did not forget the sufferings of a man, who, in his humble sphere, is doing all that lies in his power to defend the rights and liberties of his fellow-subjects.

The second article of the *Middlesex Instructions* recommends a strict parliamentary enquiry into the transactions of the military in St George's Fields on the 10th of May last; and never sure did any object deserve a
more

more severe and rigorous enquiry: for it is universally allowed by every candid and unprejudiced person, that a more cruel, a more barbarous and a more unprovoked massacre was never committed in this and hardly in any other nation. The third article advises a like enquiry into the riots and murders committed at Brentford; another scene of ministerial vengeance, equal to the former in cruelty, and superior in villainy; for here a design was formed and an attack made as well upon the liberties as the lives of the people.

In the fourth article the freeholders of *Middlesex* instruct their representatives to examine into the administration of justice in this county, particularly into the present state of the commission of the peace; a branch of the police, that has been shamefully neglected, in order to furnish a reason, or rather a pretext, for the introduction of another kind of authority, namely, for that of the military power, which, on account of the real or supposed weakness of the *posse comitatus*, has been already employed to the danger, and even to the destruction, of the lives of many of his majesty's liege subjects. But while the commission is filled with men of such worthless and insignificant characters as many of those are who now compose it, and as particularly is a paltry scribbler*, who, having tried his fate in the literary world, and been rejected by the public, is at length become a prostitute hireling of the ministry; while this is the case, can we possibly wonder, that the commission itself is fallen into contempt?

As to the right of the public to the territorial revenue arising from the conquests in India, which the freeholders mention in their fifth and last instruction; that is a question of a very intricate and perplexed nature, and would require a more long and elaborate discussion, than the limits of this paper could, by any means, admit. It may only be observed, that whatever may be determined concerning the right of the public to those revenues, the present ministry have taken every method that could any how be devised, to supply their wants from that (as they seem to think) inexhaustible fund.

The *Westminster* instructions are precisely the same with those of *Middlesex*, except that they contain an additional article, recommending a parliamentary enquiry into the case and grievances of *Mr. Wilkes*; a point indeed, which can never be too frequently repeated, nor too strongly enforced; but upon which, however, I have not at present time to make any further remarks, in supplement to those I have already made upon it in the foregoing numbers of this paper.

I come now to consider the *instructions*, which the liverymen of *London* have given to their representatives; instructions, worthy this great and populous city, worthy the respectable and patriotic body who drew them up; who, with great acuteness and sagacity, have entered into most of our national grievances, and, with great spirit and freedom, have delivered their sentiments concerning the most probable means of having them redressed. The citizens introduce their instructions by expressing their high regard for the laws and liberties of their country, asserting their undoubted right to instruct their representatives, and insisting upon the extreme propriety of doing so at this particular period. "We, Gentlemen (say they your constituents, assembled in the Guildhall of London, fully sensible of the value of the laws and constitution transmitted to us by our ancestors, and firmly resolved to preserve this inheritance entire as we have received it, think it our indispensable duty at this time, as well as our undoubted right, to instruct you our representatives in parliament as follows." The first instruction runs thus:

1. "We recommend that you exert your utmost endeavours, that the proceedings in the case of libels, and all other criminal matters, may be confined to the rules of law, and not rendered dangerous to the subject by forced constructions, new modes of enquiry, unconstitutional

* Robert Dossie.

"tribunals,

“ tribunals, or new and unusual punishments, tending to take away or
“ diminish the benefit of trial by juries.”

As to forced constructions, there cannot sure be a more forced construction, than to represent a few remarks upon a minister's speech as a libel upon the King, and some harmless reflections upon the conduct of a judge, as a libel upon the court to which he belongs; and yet these two modes of construction we have all seen adopted, and maintained to be conformable to the laws and the constitution, though nothing, it is certain, can be more diametrically opposite to the letter as well as to the spirit of both. Nor have the new modes of enquiry been less illegal and unconstitutional; witness the seizing Mr. Wilkes's papers, or rather the robbing him of them, in order to collect (as the phrase then was) the evidence against him, and the requiring the publisher of this paper to become his own accuser by answering interrogatories: but the first kind of enquiry has been happily abolished, and the second, it is to be hoped, from the equity of parliament, will soon meet with the same fate. With regard to unconstitutional tribunals, it may be safely affirmed, that every tribunal is unconstitutional; when it presumes to usurp powers, to which, by the laws and customs of the realm, it has no manner of title. And of new and unusual punishments, it may be sufficient to observe, that the publisher of the NORTH BRITON has suffered and is now suffering a very new and unusual kind of punishment; for he has been and is now imprisoned, not in execution for any offence he has committed, but to compel him to submit to a species of inquisition, which, whatever may be the practice of courts, he is credibly informed, is absolutely inconsistent with the laws of the land. In a word, if these arbitrary and despotic modes of proceeding are suffered to continue, the trial by juries, in the case of libels, will be very soon abolished; for it will always be in the power of any time-serving or prostitute set of judges to construe any paper into a libel upon themselves; and then, by exercising the distinct and incompatible provinces of party, accuser, evidence, jury, and judge, they will at once try, condemn, and inflict upon any person whatever punishment they please. The second instruction is expressed in the following words:

2. “ That you carefully watch over the great bulwark of our liberties, “ the HABEAS CORPUS ACT; and that you enquire into, and censure “ any attempt to elude or enervate the force of that law.” But the HABEAS CORPUS ACT was shamefully eluded in the case of Mr. Wilkes, who, after it was well known that orders had been given for issuing it by Lord Chief Justice Pratt, was hurried to the Tower, and there immured; and may I be permitted to add, it is now as shamefully, and as unconstitutionally eluded in the case of Mr. Bingley, who is imprisoned upon such terms, as to be deprived of all the benefit resulting from that great security of our personal freedom. The third instruction is to this effect:

3. “ That you preserve, equally inviolate, the privilege of parliament, “ and the right of the electors in the choice of their representatives.” But the privilege of parliament was grossly violated by the imprisonment of Mr. Wilkes for writing, or rather publishing, a libel; an imprisonment, from which, according to the unanimous opinion of the judges of the Common-Pleas, his privilege of parliament ought to have protected him. True it is, that the parliament itself thought proper to come to a different resolution; but it is well known, that the members of that venal and prostitute assembly were always ready, like Esau, to sell their birthright for a mess of pottage. The invasion that has been made upon the rights of electors, in the choice of their representatives, at Brentford and other places, is too recent in every one's memory to need being mentioned. The fourth instruction is conceived in the following terms:

4. “ That you do not discourage petitions, by selecting such parts “ thereof as may tend not to relieve, but to criminate the petitioner, so
“ as

“ as to prevent all approach to your house; by which means the most
 “ essential article of the declaration of rights may be eluded or rendered
 “ of less effect.” This instruction, it is evident, considering the spirit
 of the times, is extremely seasonable, and even, in some measure, indis-
 pensably necessary; for while every paper, however innocent, is apt to
 be construed by our ministers into a libel, the people perhaps might be
 thereby deterred from explaining their grievances to their representatives
 in parliament. And as we seem to be falling fast back into the very
 dregs of the Stuart reigns, when the petition of the bishops was prose-
 cuted as a libel, the electors, it is probable, might be filled with appre-
 hension, lest, by presuming to instruct their representatives, they should
 involve themselves in the same kind of dilemma with those reverend
 fathers. The citizens of London, therefore, could not do a more
 essential service to the public, than by asserting that most important article
 of the declaration of rights, which confirms the privilege of the people
 to petition the king, and consequently every other branch of the legis-
 lature. The fifth instruction is to this purport:

5. “ That you endeavour to prevent all application of the public
 “ money to influence elections of members to serve in parliament.” Had
 the advice contained in this instruction been faithfully observed for these
 eight years past, we should not now have heard of the civil list being
 600,000 l. in debt. The sixth instruction is thus worded:

6. “ That you give no countenance to the dangerous doctrine of con-
 “ structive treasons, or to the application of doubtful or uncertain laws to
 “ this interesting object, nor suffer ministers to be invested with a vague and
 “ discretionary power of judging on, or prosecuting this offence; and that
 “ you will vigorously oppose any measures tending to introduce modes
 “ and circumstances of trial, which may render it difficult or impossible
 “ for the party accused to obtain full and equal justice.” This instruction
 seems to be pointed at a design, which is well known to have been secretly
 formed by a set of cruel and tyrannical ministers, who have long wished to
 embrace such a measure against a certain popular and patriotic gentleman;
 but let them, if they are wise, desist from their project. The people
 have hitherto beheld their many flagrant violations of the law, though
 not without complaint, yet without any actual opposition; but should
 they commit this last, this most daring insult upon the spirit of a free
 constitution, let those who commit it, tremble at the consequence. The
 seventh instruction is thus expressed:

7. “ That you will, as the representatives of this great commercial
 “ city, be particularly attentive to the interests of the manufactures and
 “ the trade of this kingdom in all parts of the world, and more especially
 “ in the British American colonies, the only profitable trade this kingdom
 “ enjoys unrivalled by other nations; for which purpose we recommend
 “ your utmost endeavours to reconcile the unhappy differences subsisting be-
 “ tween the mother country and her colonies, the fatal effects of which
 “ have, in part, been severely felt by the manufacturer and the commer-
 “ cial part of this kingdom.” But how can these differences be possibly
 reconciled, while we persist in our design to impose taxes upon the
 American colonies; and if we do not persist in this design, how can our
 ministers provide for their numerous train of creatures and dependents;
 and if they do not provide for these creatures and dependents, how can
 they retain their country friends, or secure their parliamentary elections?
*Aye, there's the rub! This the respect that makes ministerial obstinacy so
 hard to conquer.* As it is, therefore, evident, that the providing fresh
 pasture for pensioners and placemen was the original, if not the sole mo-
 tive to our imposing taxes upon the Americans, I would humbly propose,
 by way of compromise, that the Americans should furnish these placemen
 not with a metaphorical but a real pasture, by allotting them a certain
 quantity of land on the back settlements, and undertaking to manure it
 for them; for it is to be understood, that every placeman is a gentleman
 by profession, and infinitely above the low drudgery of putting his hand to
 work.

work. In the eighth instruction the citizens of London deliver their sentiments in the following terms :

8. " That you will at this time particularly attend to the preservation of public faith, the sole foundation of public credit ; and that you do not, upon any pretence of public good whatsoever, concur in any measure that shall tend to weaken or destroy that faith." This seems to relate to the several attacks which the ministry have made upon the property of the East India Company ; but the advice of the citizens, I'm afraid, will have no more effect, than if they had attempted to persuade a glutton to retrench his meals, lest in the end he should be reduced to beggary.

The remaining articles of these Instructions must be reserved for the Subject of another paper.

D. O.

To the Gentlemen, Clergy, and Freeholders of the County of
M I D D L E S E X.

GENTLEMEN,

THE zeal and unanimity you have shewn this day for the maintenance of our most valuable privileges against the late attack of a despotic Administration, will for ever reflect the truest honour on yourselves and on this county. With every sentiment of gratitude and respect, I beg leave to acknowledge the repeated distinction you have been pleased to make of me on this occasion. I am the more happy, because I consider my re-election by the free and unanimous voice of my countrymen as the most direct and full testimony you could give to the world, that you approve my conduct, relative to the publication of the *Preface*, and the *Secretary of State's Letter*, which was followed by the horrid murders committed in my fight near the walls of this prison. I obeyed your *instructions*, Gentlemen, in that only instance in my power, although I was in custody at the Bar of the House of Commons. I thought it my duty, as your representative, earnestly to press an enquiry into the transactions of the Military on that day of cruelty and carnage, a day of indelible disgrace to the annals of England, and even to humanity. I pledged myself to bring evidence to the Bar of the Commons in support of the charge I had stated, and whenever Parliament shall make inquisition for the innocent blood spilt here on the tenth of May, I am sure my worthy colleague, *Mr. Glynn*, will do justice to this injured country in the House, and I will not be wanting to the cause in this prison, or in the most loathsome dungeon, if indeed I am not as closely and rigorously confined as I was in the Tower. The horror I expressed of the massacre in that *Preface* was made the first and chief pretence of my expulsion, as I now find from the *Votes*. As to every thing else alledged against me, the Courts of Law have full satisfaction, and the whole happened some years before your former choice, before I had devoted myself to your service.

In consequence of this fresh mark of your regard and confidence, I expect, Gentlemen, fresh efforts to crush and destroy me from the present Administration, whom I believe to be the determined enemies of the freedom of the subject. But whatever I may suffer under the merciless fangs of ministerial vengeance, I

will

will persevere in the cause of Liberty to the last moment of my life. Under every threatening and danger I will join with you in hearty endeavours to repair the breaches, which have been made, and to restore to its ancient vigour and first principles this excellent constitution, which has in our times been sapped and undermined by secret corruption, and invaded by open violence, I wish I could say only in the case of General Warrants, the Seizure of Papers, the Massacre by the Military in these Fields, and the Assassinations at Brentford. However from the goodness of our cause, and the high spirit of this free nation, we cannot in the end fail of success, and our steadiness will draw to us the firm and generous support of the numerous, sensible, and magnanimous friends, whom Liberty has ready at her call throughout this island. The glorious event must be the preservation of the liberties of the people to the present and to future ages.

I am, GENTLEMEN,

Your grateful, affectionate, and

King's Bench Prison.
Thursday, Feb. 16, 1769.

faithful humble servant,

JOHN WILKES.

SURRY } **W**ILLIAM BINGLEY, now a Prisoner in his Majesty's
to wit. } Prison of the King's Bench, charged with printing and
publishing the NORTH BRITON Number FIFTY, and also for printing and
publishing the NORTH BRITON Number FIFTY ONE; and committed for
refusing to give BAIL, and also refusing to be SWORN to ANSWER INTER-
ROGATORIES filed in the Court of King's Bench against him, VOLUNTARILY
maketh OATH, that he the Deponent will NOT at any time, WITHOUT
TORTURE, answer to any Interrogatory tending to accuse himself, or any
other Person, of being Author, Printer or Publisher of the North Briton
Number Fifty, the North Briton Number Fifty-One, or either of them:
and that he the Deponent NEVER will VOLUNTARILY inform against any
Person or Persons any way therein concerned, or give any Evidence rela-
tive thereto, OTHERWISE than in a DUE COURSE of LEGAL TRIAL: and
that he the Deponent, as a Bookseller, should esteem himself infamous,
and deserving of no Credit, if he betrayed the Confidence of any Person
who should intrust him to publish or conduct any Work whatever, and
that he SOLEMNLY SWEARS NEVER to be guilty of so base an Act.

Sworn before me in the King's
Bench prison, this Sixteenth Day
of February, in the Year of our
Lord One Thousand Seven Hun-
dred and Sixty Nine.

W. BINGLEY.

THOMAS DAWSON.

ERRATA in our last Number, p. 553. l. 33. for *populour* read *populous*: p. 554. l. 6.
from the bottom, for *E—* of *W—* read *L— V— W—*.

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A

NORTH BRITON

EXTRAORDINARY.

NUMBER XCII. (or XLVI. of the CONTINUATION.)
To be continued every Saturday. Price Two-pence Halfpenny

TUESDAY, FEBRUARY 21, 1769.

Majores vestri, parandi juris & majestatis constituendæ gratia, bis per secessionem armati Aventinum occupavere: vos pro libertate, quam ab illis accepistis, nonne summa ope nitimini? Atque eo vehementius, quo majus dedecus est, parta amittere, quam omnino non paravisse? SALLUST.

LITTLE did I imagine, at the time of composing my last paper, that there would have so soon been occasion for another EXTRAORDINARY NORTH BRITON, as it was to be presumed, that, after the Freeholders of *Middlesex* had so unanimously and repeatedly declared their resolution to have MR. WILKES for one of their representatives in parliament, no ministry would have been so desperately daring, as to attempt to bereave them of that freedom of choice, of that uncontrouled right of election, which they inherit from the constitution, and of which no power on earth can justly deprive them. But as we have now the misfortune to be cursed with a set of ministers, who have made no scruple of invading this right, and, it is to be feared, if not timely checked, will make as little scruple of invading all our other rights and privileges; this circumstance, we hope, will be admitted as an apology for troubling our readers with another extraordinary paper; the rather, as the *second* of the following Addresses could not, through any other public channel, have been communicated to the world.

To the Gentlemen, Clergy, and Freeholders of the County of
MIDDLESEX.

GENTLEMEN,

THE unanimity you have shewn in the second choice of me as your representative has not prevented my second expulsion without any new pretence. Another writ is ordered, and I must again entreat you to confirm your former choice by honouring me a third time with your votes at the ensuing election, which will be at Brentford on the 28th instant. I will never give up the cause, nor quit the service of my Constituents, and I make no doubt that your perseverance in the support of your own rights by a repeated exertion of the powers you derive from the Constitution, will in the end be crowned with the desired success. In case of any future expulsions, I will regularly repeat to you the offer of my humble services, that you may have again and again an opportunity of vindicating your most valuable privileges, the rights of all the electors of this kingdom, which I will never abandon nor betray.

I hope none of my friends will be absent from Brentford on the 28th, and I shall be particularly obliged to them for their early appearance. I am, GENTLEMEN,

Your faithful, humble servant,

King's Bench Prison.
Saturday, Feb. 18, 1769.

JOHN WILKES.

To the Gentlemen, Clergy, and Freeholders of the County of
MIDDLESEX.

GENTLEMEN,

AFTER the most mature deliberation, and at the desire of very many friends, I am again a candidate for the honour of representing you in Parliament, and I mean humbly to solicit that trust as frequently as any vacancy shall be declared in violation of your inherent and unalienable rights, which I will ever support. I consider the privilege of electing your own representative, the person, to whose charge is committed the disposal of your properties and lives, as the first principle of our Constitution, as the essence of that power, which the people have reserved to themselves. If it is taken from you, that instant you will cease to be free, for you will be governed by laws to which you have not given your assent, or perhaps be subject to the caprice and arbitrary will of a Minister or a Minion. I therefore am determined, Gentlemen, on every occasion to assert your rights, and I will not shrink from any danger, when I have so great an object in view.

A Resolution of the House of Commons does not make the law of this kingdom, nor can it deprive the electors or elected of any legal right. It cannot create or destroy the capacity of either derived from the law of the land. It is only the opinion of one third part of the legislature. The Returning Officer has an Act of Parliament for his guide, an Act of all the three Estates of this Realm. The form of his oath is prescribed in that Act. He is sworn *to return such person, or persons, as shall to the best of his judgment appear to him to have the majority of LEGAL votes*. If he does not, he is declared guilty of wilful perjury. Should I be so distinguished by your favour, as to be a third time elected your Representative, the only alternative left to the Sheriff is to return me, or to perjure himself. The justice and impartiality of the Sheriff cannot be questioned. The House of Commons are the sole judges who are duly elected, but the people only have the power of determining, who are the fit and proper persons to be entrusted, under those restrictions and qualifications alone expressly declared by Act of Parliament.

Devoted as I am a personal sacrifice to the revenge and implacability of a most desperate and despicable set of men in Administration, I go on however very deliberately the way of truth and honour in the pursuit of your interests, and the cause of freedom. I will be consistent and uniform to the end. At the hazard of all I hold dear, in defence of all that is dear to you, I will proceed to expose, and, if possible, bring to justice, those exalted offenders, who, betraying the sacred trust for which they are responsible to the public, have been long and assiduously labouring to effect the ruin of this nation. At the same time the utmost of my little influence and abilities shall be exerted to prevail on the real friends of our King and country, to heal our unhappy divisions, to correct the errors, which contrary to it's first principles have crept into our constitution, and to restore it's genuine, original purity. By such means alone the dignity of the Crown, the good order of government, and the liberties of the people can be preserved. We shall then only be truly happy as men, as freemen, as Englishmen.

I am, GENTLEMEN,

Your most faithful,

and obedient, humble servant,

JOHN WILKES.

King's Bench Prison.
Monday, February 20, 1769

*In order to complete our Paper, we have here added the remainder of
the London Instructions, and a short Poem.*

In the ninth Article the citizens of London instruct their representatives thus:

9. "THAT you use your utmost endeavours, that the civil
" magistracy of this kingdom be put upon a respectable
" footing, and thereby remove the *pretence* of calling in a mili-
" tary force; and preserve this nation from a calamity, which has
" already

“ already been fatal to the liberties of every kingdom round us, “ and which we, at this day, are beginning to feel.” This instruction deserves to be written in letters of gold. It breathes the true spirit of freedom, the spirit which has ever animated the citizens of London, and I hope will ever animate them. The civil magistracy, it is certain, has been scandalously neglected, and, no doubt, with a view to furnish a *pretence* for calling in a military force, which, Lord W—— says, can never be employed to a more constitutional purpose, than in the support of the authority and dignity of magistracy. But the citizens of London are of a different opinion; and, for my part, in any point relating to the liberty of the subject, I would prefer the opinion of the citizens of London to that of all the ministers that ever existed. This instruction too gives the lie to the confident assertions of our ministerial hirelings. They say, that we are in no danger of feeling the calamity of military government; whereas the citizens of London say, that we are already beginning to feel it.

In the tenth article the citizens give the following injunctions to their representatives.

10. “ That you promote a strict enquiry into the use, which “ has lately been made of military power; whether any encouragement has been given to premature or injudicious military “ *alacrity*; and whether any undue measures have been taken to “ prevent or elude the course of public justice, on such an occasion.” This article needs no commentary. The course of public justice was certainly prevented in the case of M^r Lane, and it seems now in a fair way of being eluded, in the case of Balfe and M^r Quirk.

11. “ That you use your best endeavours for having a standing “ committee appointed, from time to time, to examine, and to “ state the public accounts.” Had such a committee always existed, and had they executed their office with sufficient integrity, the national debt would not have been suffered to swell up to its present enormous size.

12. “ That if any demand should come before the parliament “ for payment of the debts of the civil list, you will diligently inquire how those debts have been incurred, to the prejudice of “ the subject, and of the dignity of the crown.” The money expended in procuring a parliamentary approbation of the late inglorious peace; the sums laid out in carrying on the prosecution against Mr. Wilkes, in influencing the Brentford and other elections, &c. &c. &c. these must certainly have tended to the prejudice of the subject, and of the dignity of the crown.

13. “ That you will promote a bill for limiting the number “ of placemen and pensioners in the House of Commons, for “ preventing the peers of Great-Britain from interfering in the “ elections for members of parliament; and that an oath to “ prevent bribery and corruption be taken not only by the electors, but also by the candidates at the opening of the poll.” Here is an Augæan stable, but where shall we find an Hercules to cleanse it? In a word, the number of placemen and pensioners is of late become so enormously great, that were we to affirm, that the power of the crown is now thereby raised to a higher pitch than ever it was, by the force of prerogative, in the reign of the Stuarts, it would not, I believe, be very easy to confute us. The only difference is; Parliaments were then driven; they are now led: and the latter, as the more gentle, is, I’m afraid, the more effectual method of the two.

The

The influence, indeed, is less apparent, and attended with less noise; but it is, perhaps, on that very account the more real and the more irresistible. With regard to peers presuming to interfere in the election of members of parliament, that, I doubt, is a grievance which will continue as long as there are any peers in the kingdom. It requires not, however, any extraordinary degree of political sagacity to perceive, that this practice, if carried to too great a length, may destroy the independence of the third estate of the realm. With respect to the proposal of obliging candidates, as well as electors, to take the oath against bribery and corruption, I question much whether such a law would be really productive of all those advantages, which one might at first be inclined to expect from it; for those who, for a bribe, a place, or a pension, will betray their country, will, for the same reward, sell their souls to the Devil: but if they will sell their souls to the Devil, let them, in the name of common sense, sell them formally and in express terms; and let them not, by shutting their own eyes, imagine that they can thereby shut the eyes of all the rest of the world.

The fourteenth and last article is to the following purport:

14. "That you use your utmost endeavours to obtain an act to shorten the duration of parliaments. And lastly, we submit to your consideration, whether a change in the present mode of election, to that of ballot, would not be the most likely method of procuring a return of members on the genuine and uncorrupt sense of the people." The first clause of this article has already been discussed in the 74th number of the NORTH BRITON. And with regard to the second, it is natural to think, that it would be attended with all the good effects, which the citizens suppose it is calculated to produce; for the people would be at liberty, in the choice of their representatives, to follow the dictates of their own conscience, and to fix upon the most able and worthy candidate, without having, as they now have, the rod of correction held over their heads by some overgrown peer, or some tyrannical minister.

And here let me observe, in addition to the remarks I have already made upon the two last articles, that, should ever the number of placemen and pensioners come to be so great in the House of Commons, as to compose more than one half of that august assembly, the constitution of England would be entirely overturned. The House of Commons consists of 558 members. Now let us only suppose, that 280 of these (which is only a majority of one) were placemen and pensioners, or dependent on placemen and pensioners, it would thence follow, that these 280 would have it in their power, and probably too they might have the inclination, to expell, without reason, or so much as the shadow of a reason, all the other 278; and then by proceeding to exercise their legislative authority, before the vacancies could be filled up, they might surrender into the hands of the prince, by a seemingly unanimous vote, all the rights and liberties of the people. It may likewise be affirmed, that, among the many advantages arising from short parliaments, this would be one, that representatives would never dare to act in opposition to the interest or inclination of their constituents. The dread of an approaching election, which could never be at a great distance, would keep them to their duty; nor should we ever see them, as we have often formerly done—*for I trust in God we have nothing of that kind to fear at present*—despising the sentiments, and invading the privileges of those

very

very persons, from whom they derive the share they enjoy in the legislature of the nation.

I cannot conclude this paper, without congratulating the public on having such a noble and glorious example set them, as is here presented by the inhabitants of the metropolis; an example, I hope, which will be very soon followed by every other county and corporation in the kingdom. Let me likewise take notice of a trifling mistake, which the writers of the news-papers have put into the mouth of the patriotic alderman who attended the common-hall, where they make him say, that parliaments were septennial in queen Anne's reign. The truth is, the triennial act was passed, or rather revived, in the sixth year of king William: it continued in force during the remaining part of that reign, and the whole reign of queen Anne; nor was it repealed till the second year of king George I. when parliaments were made septennial.

And having hinted at the conduct of Mr. Alderman Beckford, it would be the height of injustice not to acknowledge his great merit on this interesting occasion. For while his brother-representatives—from one of whom, indeed, as being a mere creature of the court, nothing good could be expected, though of the other two better things were hoped—while these, I say, through a fear of offending the great, meanly slunk from their duty, this gentleman, with a spirit of independence, which he has always maintained, and which does honour to his character, boldly avowed his sentiments, and not only encouraged his fellow citizens to instruct their representatives, but likewise promised to do all that lay in his power to carry these instructions into execution. Nor is this the first public proof, that Mr. Beckford has given of his setting at nought the frowns of the great, when he believed they were engaged in designs inconsistent with the interest of the nation. For in the year 1763, while Lord Mayor of London, and while, though an odious favourite had been just driven from the helm of affairs, the same unpopular and unconstitutional measures, which had been planned by the minion, were still carried on by his successors, Mr. Beckford, at the head of the aldermen and common council, presented an address to his majesty, in which, among others, was the following expression: “We firmly trust, that every increase of your royal family will prove an additional security to our religion, and that great charter of liberty, which, in consequence of the glorious Revolution, your illustrious house was *chosen* to defend.” This expression, I well remember, was censured, at the time, by the creatures of the court, as highly insolent and affrontive; but I hope the people of England will never become so very complaisant as to think it insolent to assert their liberties, when they see or even suspect them to be in danger. D. O.

For the NORTH BRITON.

YE ministers! who every hour
Exert your arbitrary power;
Tell me what difference there can be
'Twixt tyrant king, and ministry.

In the detested Stuart's reign,
One tyrant was the worst;
But now we justly may complain,
We're with a hundred curst.

But

But still, despotic crew! beware;

Remember Stuart slain:

One tyrant was too much to bear;

Shall then a hundred reign?

What! hear ye not the general cry?

The universal groan,

That, wing'd with curses, cleaves the sky,

And shakes our monarch's throne.

Blind to your fate, where are your eyes?

Ye *second-sighted* crew!

What! see ye not the scaffold rise,

And Tyburn wait for you?

Oh! soon may vengeance with your blood

To freedom consecrate the wood!

Each Briton then shall take a part,

And wear the relic near his heart.

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THE
NORTH BRITON.

NUMBER XCIII. (or XLVII. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

SATURDAY, FEBRUARY 25, 1769.

Quidquid delirant Reges, plectuntur Achivi.

HOR.

THERE is not, perhaps, a more curious or a more important question in politics, than to determine what influence the personal character of a prince has upon the happiness of his subjects. In a despotic government, it is certain, this circumstance has a very extensive, not to say an unlimited, influence; because every thing being there ruled by arbitrary will, the happiness or misery of the people must be nearly in proportion to the wisdom or folly, the virtue or depravity of the supreme magistrate. The Roman government was the same in the time of *Titus* as in that of *Domitian*: yet what an infinite difference between these two periods! How happy the people, how beloved the prince, and how flourishing the empire in the one! How wretched the subjects, how detested the sovereign, and how distracted the empire in the other! The virtues of the former prince, and the vices of the latter, besides their more immediate and direct operation, seemed, by a kind of irresistible contagion, to transfuse themselves into the courtiers, the citizens, the soldiers, and indeed, in some measure, into the whole body of the people, and produced, in the one case, the most complete happiness, in the other, the most exquisite misery.

The like contrast may be observed between the reign of *Henry III.* and that of *Henry IV.* of *France*. Oppression, levity, artifice, on the part of the rulers; faction, sedition, treachery, rebellion, disloyalty, on the part of the subjects: these compose the character of the former miserable æra. But when the patriot and heroic prince, who succeeded, was once firmly seated on the throne, the government, the people, every thing seemed to be totally changed; and all from the difference of the temper and sentiments of these two sovereigns. Nor is it only in despotic governments, that the personal character of the prince has such a mighty influence upon the happiness of the people: it has a considerable, though, indeed, a less influence upon it, even in the

the most free and popular governments, particularly in our own, which is, or at least was intended to be, one of the most free and popular governments that ever existed. Compare the reign of *Henry III.* with that of *Edward I.* and you will be abundantly convinced of the truth of this assertion. What jealousies, discontents and insurrections in the one ! what harmony, concord and tranquillity in the other !

An equal difference may be remarked between the reigns of *Edward II.* and *Edward III.* of *Richard II.* and *Henry V.* and between the reign of Elizabeth and those of all the princes of the Stuart line. The first, indeed, of the Stuart-princes had, for his tutor, the celebrated historian and poet, *George Buchanan*, a man of great learning and genius, and one who seems, by his writings, to have been a real friend to liberty; but such is the depravity of human nature, that, though a good disposition may be spoiled by a bad education, yet some tempers are so incorrigibly wicked, that the best education in the world can never reform, and hardly even humanize them; witness that royal monster in human shape, the Roman Emperor, *Nero*, who had for his preceptor the admirable philosopher *Seneca*, and who, as a reward for the pains which his instructor had taken with him, caused his unhappy tutor to be put to death; an act of barbarity, which, however shocking, will appear the less surprising, when it is considered that the same imperial butcher caused his own wife, and even his mother, to be slain. The second prince of the Stuart-line, like some other princes in more modern times, had his education not from his regular preceptors, but from an artful, insidious, and overbearing favourite, who had found means to engross the whole power of the crown, and infused into his royal pupil such principles of despotism, as involved him, during his life, in infinite calamities, and at last brought him to an untimely end. As to the two last princes of this tyrannical family, they had their education from the Jesuits of France; and their characters were such as might be supposed to be formed by such *worthy* instructors; the one being remarkable for insincerity and lewdness, the other for obstinacy and bigotry; and both of them alike for the most unrelenting cruelty.

As it is, therefore, evident, that the happiness of the people depends so much upon the temper and disposition of the sovereign; and as these are influenced, in so high a degree, by the nature of his education; it is certainly a matter of the last importance, that this affair should be conducted with the utmost caution and circumspection. What then shall we think of the black designs of that accursed Scot, who has been the cause, if not of all our public grievances, at least of most of our national divisions, and who is well known to have planned in his closet, before he left England, those arbitrary measures, the execution of which, by his profligate dependents, is now throwing the kingdom into such a dangerous ferment; what, I say, shall we think of the designs of this accursed Scot, who had formed a scheme for giving our present most amiable sovereign such an education as was utterly inconsistent with the nature of a free and a limited monarchy? But that he did form such a scheme, is abundantly evident

evident from the following memorial, which I have here subjoined for the satisfaction of the reader: premising only, that, pursuing the same maxims in the government of his own family, which he has always pursued in the government of the nation, he sent, some few years ago, for an Italian Jesuit of the name of *Graffigni*, whom he settled in a boarding-school at Kensington, and to whom he committed the care of his own son, and of as many of the sons of his acquaintance, as he could possibly procure by fair means or by foul; for that he did employ some very foul means for this purpose, there are several gentlemen who are ready to testify. L.

A Memorial of several Noblemen and Gentlemen of the first Rank and Fortune, presented to the late King in 1752.

The Memorialists represent,

THAT the education of a prince of Wales is of the utmost importance to the whole nation: that it ought always to be intrusted to noblemen of the most unblemished honour, and to prelates of the most distinguished virtue, of the most accomplished learning, and of the most unsuspected principles with regard to government both in church and state: that the misfortunes which this nation suffered, or escaped under king Charles I. king Charles II. were owing to the bad education of those princes, who were early initiated in the odious maxims of arbitrary power: that, for a faction to engross the education of the prince of Wales to themselves, excluding men of probity, property, and wholesome learning, is unwarrantable, dangerous, and illegal; that to place men about a prince of Wales, whose principles are suspected, and whose belief in the mysteries of our faith is doubtful, has the most mischievous tendency, and ought justly to alarm the friends of their country, and of the Protestant succession: that, for ministers to support low men, who were originally improper for the high trust to which they were advanced, after complaints made of dark, suspicious, and unwarrantable methods made use of by such men, in their plan of education, and to protect and countenance such men in their insolent and unheard-of behaviour to their superiors, is a foundation for suspecting the worst designs in such ministers, and ought to make all good men apprehensive of the ambition of those ministers:—that, it being notorious that books*, inculcating the worst maxims of government, and defending the most avowed tyrannies, have been put into the hands of the prince of Wales, it cannot but affect the Memorialists, when they find that the men, who had the honesty and resolution to complain of such astonishing methods of instruction, are driven away from court†, and the men who have dared to teach such doctrines, are continued in trust and favour:—that the security of

* Father Orleans's *Revolutions of the House of Stuart*.—Ramsay's *Travels of Cyrus*. Sir Robert Filmer's *Treatise on Government*, for some strictures on which, found concealed in the custody of Algernon Sidney, that great man lost his head.

† In 1752, lord Harcourt and Dr. Hayter, were dismissed, and succeeded by lord Waldegrave and Dr. Stone.

this

this government being built upon Whig principles, is alone supported by Whig zeal:

That the establishment of the present royal family being settled in the timely overthrow of queen Anne's last ministry, it cannot but alarm all true Whigs, to hear of schoolmasters, of very contrary principles, being thought of for preceptors; and to see none but the friends and pupils of the late lord Bolingbroke intrusted with the education of a prince, whose family that lord endeavoured, by his measures, to exclude, and by his writings to expel, from the throne of these kingdoms: that there being great reason to believe, that a noble lord has accused one of his preceptors of Jacobitism, it is astonishing that no notice has been taken of a complaint of so high a nature; but that, on the contrary, the accused person continues in the same trust, without any enquiry into the grounds of the charge, or any steps taken, by the accused, to purge himself of a crime of so black a dye:—that no satisfaction being given to the governor and preceptor, who, though a nobleman of the most unblemished honour, and a prelate of the most unbiassed virtue, have both been treated in the grossest terms of abuse by a menial servant of the family, is derogatory to his majesty's authority, under which they acted; is an affront to peerage; and an outrage to the dignity of the church.

That whoever advised the refusal of an audience to the bishop of Norwich, who was so justly alarmed at the wrong methods which he saw taken in the education of the prince of Wales, is an enemy to his country, and can only mean, at least, to govern by a faction, or is himself influenced by a more dangerous faction, who intend to overthrow the government, and restore the exiled and arbitrary house of Stuart. But that to have a Scotchman of the most disaffected family, and allied in the nearest manner to the Pretender's first minister, consulted in the education of the prince of Wales, and intrusted with the most important secrets of the government, must tend to alarm and disgust the friends of the present royal family, and to encourage the hopes and attempts of the Jacobites.—Lastly, the Memorialists cannot help remarking, that three or four low, dark, suspected persons are the only men whose stations are fixed and permanent; but that all the great offices and officers are so constantly varied and shuffled about, to the disgrace of this country, that the best affected apprehend, that there is a settled design in those low and suspected persons to infuse such jealousies, caprices, and fickleness, into the two ministers whose confidence they engross, as may render this government ridiculous and contemptible, and facilitate the revolution which the Memorialists think they have but too much reason to fear is meditating.

GOD PRESERVE THE KING.

For the NORTH BRITON.

IN the "LETTER ON LIBELS, WARRANTS, &c." Page 74, there is this remarkable passage, "With regard to the insignificance of a mere resolution of the house of Commons, I recollect that something of a like sort was flung out by a learned gentleman, who closed the whole of his
" argument

“ argument on this point, by saying, that, ‘ had he the honour
 ‘ of presiding in any court of law, he should regard such a reso-
 ‘ lution no more than he would that of so many drunken porters
 ‘ in Covent-Garden.” This opinion was given in the memorable
 debate on *general warrants*, Feb. 14, 1764, by Sir FLETCHER
 NORTON, Knt. then *his Majesty's Attorney-General*, and now *chief*
Justice in Eyre. If such, in this great lawyer's opinion, was
 the insignificance of a resolution of the house of Commons *then*,
 A FREEHOLDER OF MIDDLESEX, would be glad to know, what
 gives it force and importance *now*? If a single vote of the house
 of Commons can disqualify, or disfranchise an *Englishman*, why
 can it not naturalize a *Jew*, remove a turnpike-gate, &c?—
 things of much less consequence.

The following Case is such a strong confirmation of the justness
 of Sir Fletcher Norton's sentiments, that we have thought
 proper to submit it to the consideration of the reader.

The Case of Mr. John Adams, Humbly submitted to the Consideration of the Independent Freeholders of MIDDLESEX, at this critical period.

JOHN ADAMS, Esq; a member of the house of Assembly
 in the Island of *Barbadoes*, in the year 1762, had armed his
 slaves to oppose the sheriff in the execution of his duty. This
 act was attended with flagrant circumstances. He was prosecuted,
 convicted, fined, and imprisoned. The House thought
 Mr. ADAMS unworthy of holding a seat in it; and a motion
 being made to to expell him, he was expelled accordingly. A
 writ was issued for the election of a representative for the parish
 of Christ-Church, which Mr. ADAMS had represented. The
 electors said, the crime or crimes for which Mr. ADAMS was
 expelled, were not committed in the assembly: they were cogni-
 zable only in the courts of law; to which Mr. ADAMS had sub-
 mitted; and received sentence: a sentence, which, by the laws,
 did not affect his seat in the assembly, and therefore they re-elected
 him. But upon the return of the writ, it was again moved,
 that he should be again expelled: and he was expelled accordingly.
 The spirit that prevailed in the parish of Christ-Church
 was notorious. The electors seriously took up the case as a mat-
 ter of *right*, belonging to themselves. They conceived this
 arbitrary expulsion to be a breach of the people's natural and
 unalienable privileges; which the assembly, who derived its
 authority from the people, was bound to support. And they
 said, from SYDNEY, that the assembly did not enjoy “ an inhe-
 rent, but a delegated power; and whoever receives it, is
 accountable to those who gave it; for they who give authority by
 commission, do always retain more than they grant.” Cap. 3.
 Sec. 38. Had a third writ been issued, the electors, notwith-
 standing the second expulsion, would still have returned him, to
 assert and support their own inherent right to a free choice; and
 to preserve what did constitutionally belong to them, the power
 of being not only the most proper, but the *sole* and *exclusive* judges
 who were fit persons to represent them in the assembly. The
 assembly fearing, or not liking a third election of the same person,
 and entertaining great indignation against Mr. ADAMS, came to
 a resolution

a resolution at the time of the second expulsion, to bring in a bill to disqualify him from holding a seat in the assembly. The bill was passed by the assembly, and by the council, and was assented to by the governor, CHARLES PINFOLD, Esq; Doctor of the civil law.

Mr. Adams could not rest easy under such severity, but applied for redress, to the justice and moderation of his Sovereign, *the present king*. This gentleman was unknown, unconnected, unsupported. His fate was to be determined by the equity of his case.

Upon his appeal, the act of disability was absolutely repealed; with a declaration, *That it was arbitrary, and contrary to the spirit of the British constitution; as it deprived his Majesty of the services of a subject.*

N. B. The reasons that attended the repeal, were expressed in the strongest terms; and founded upon an opinion given by the late Sir Matthew Lamb, Bart. council to the Board of Trade.

*** The election for the county of Middlesex is now adjourned to Thursday the 16th of March, at Brentford.*

ERRATA in some Copies of our last Number.

P. 561, l. 13, for *all of our other rights*, read *all our other rights*. P. 564, l. 19, for *the rest of all the world*, read *all the rest of the world*. P. 565, l. 14, for *that queen*, read *queen Anne*.

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T H E

N O R T H B R I T O N .

NUMBER XCIV. (or XLVIII. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

S A T U R D A Y , M A R C H 4 , 1769.

Dicam, si potero :— H O R .

WHAT would the people have? What would they be at? Such is the question that is constantly asked by the creatures of the court, when any complaints are made of the conduct of the ministry; and this question they ask with such a confident and assuming air, as if they thought it was altogether unanswerable. But that it is not unanswerable, I will endeavour to shew, by explaining, in as few words as possible, what it is the people would have, or what they would be at. And first, they would have a P——, whose family was raised to the throne by that only just and legal title, the free will and choice of the people; or, which is the same thing, the free-will and choice of the representatives of the people: they would have such a P—— have no favourite that is not a favourite of the people; or if, from the warmth of a youthful heart, or by the insidious arts of the pretended friends, but real enemies to his family, he should have the misfortune to fix upon such a favourite, they would have him withdraw his confidence from the minion, as soon as this last should appear to have lost the confidence of the public; lest, by persisting in a contrary course, he should seem to separate his own interest from the interest of his subjects; a thing, which he can never do, without lessening the importance of his character, and even reducing himself to a state of insignificance: for, as was wisely observed by *Gourville*, a Frenchman, and as was once said by *Sir William Temple* to king *Charles the Second*, “A king of England, who will be *the man of his people*, is the greatest king in the world; but if he will “be any thing more, he is nothing at all.” Nor would they have this conduct observed by the Prince alone; they would have it observed by every branch of his family; and therefore would not wish to see any one of them bestow, as one of them
some

some few years ago did bestow, the library of a Prince of Wales upon this obnoxious favourite, especially, too, at the time when he was in the very height of his unpopularity, and was the general object of the curses and execrations of the public: a present, it was thought, which was not so much intended to mark the regard which the donor had for the minion, as to express the supreme contempt she entertained for the sentiments of the people; of that very people, from whom she and hers have received such infinite obligations, and to whom she has at once the imprudence and presumption to make such an unsuitable and ungrateful return.

Another thing, which the people would have, is a ministry founded upon the only true and constitutional basis, upon which any ministry can be founded in this kingdom, the broad basis of popularity; a ministry, possessed of the confidence of the Prince and the favour of the public, without both which no ministry can ever carry on the national business to the general satisfaction; a ministry, as zealous to support the rights of the subject, as the prerogatives of the crown, and not artfully, and even violently, endeavouring to depress the former in order to exalt the latter; a ministry, that stands upon its own bottom, and is not, like most of our numerous ministries for these seven or eight years, a mere cat's-paw in the hands of an overbearing favourite, by whose interest they were originally made, whose commands they, for some time, implicitly obeyed, and by whose uncontrollable power, the moment they began to dispute these commands, they were instantly discarded.

A third thing which the people would have is, they would wish to see parliaments meet, as they once met, and were certainly intended to meet, to redress grievances, not to impose or confirm them; to be a terror to evil ministers, and not to screen and protect them; to call to account the plunderers of the public money, not to be themselves the greatest plunderers; to defend the rights and liberties of their constituents, not to sacrifice them to their own private interest; to clear, or at least to thin, the house of that noxious brood of pensioners and placemen, which has long infested it, and is still increasing, not of those who are independent of the court, and whose greatest crime is their determined opposition to all prostitute pensioners and placemen; to punish the malversations of the executive part of the government, not to authorise them by their votes and resolutions; to examine carefully into the nature of every bill that is proposed to them, and whether it be consistent with the liberty of the subject, and not to give their assent to every scheme of the minister, with such a blind and slavish submission, as may at last render it doubtful whether they have any right to refuse it; in a word, to be the guardians, not the betrayers of the constitution; and not to deceive themselves, as well as the rest of the nation, by keeping up the vain shew and parade of a parliament, when its real power and spirit are absolutely gone, and when it is of no more weight in the balance of the government, than the Roman senate was in the time of the emperors. But that some of our late parliaments have committed all these bad, and neglected all these good actions, is a truth no less melancholy than certain. For, thank God!

God! we have nothing to fear, but every thing to hope, during our present *virtuous, patriotic, uncorrupt, independent, &c. &c.* parliament.

A fourth thing, which the people would have, is, that the public money should be administered with a little more frugality; or if it is still to be squandered away with the usual prodigality and profusion, let our ministers, in God's name, openly avow their principles and their practices; and let them not, by drawing upon us for their millions and their half millions, and yet talking of *œconomy*, at once pick our pockets, and insult our understanding. In what manner the public money, properly so called, has been managed, the immense fortunes raised, during the late war, by private men, destitute of every other kind of merit than what may be found in a company of sharpers, is a sad but sufficient proof.

As to the arrears of the Civil List, it is not so easy to account for them. Formerly, indeed, there was a plausible pretence for arrears of this kind. The common plea was, that the funds, allotted for making good the Civil List, had fallen short in their produce. But no argument of that sort can now be urged, with any show of reason. The crown receives, and has continued to receive, ever since the accession of his present majesty, 800,000 *l. per annum*, clear and neat, and free from all deductions. And yet, with this immense revenue, and with all the savings that have been made in coal and candle, in beef and pudding, at St. James's, it has incurred a debt of 513,000 *l.* and probably upwards. How then, in the name of wonder, has this debt been contracted? I have hinted my suspicions (and I believe they are not ill founded) in the former numbers of this paper. What pity it is, that the same regulations are not observed in the present case, as in that of common bankrupts, who are obliged to give in a true and just state of their debts, and of the manner in which they were incurred. In that case, I should be glad to know whether we should not see some such articles as the following. *Imprimis.* To Michael Curry, for robbing his master. *Item.* To the blood-hounds of the law, for worrying Mr. Wilkes. *Item.* To bribes and pensions to as many of the unplaced members of the last parliament as was necessary to make a majority. *Item.* To maintaining M'Laughlan, the foldier, before, during, and after his trial, and settling a pension upon him for life, for murdering young Allen. *Item.* To the Brentford rioters for maiming and murdering the freeholders of Middlesex, for presuming to vote against the court-candidate. *Item.* To maintaining Balfe and M'Quirk before and since their trial, paying fees to their council, and now settling annuities upon them during their natural lives, for the murder of Mr. Clarke. *Item.* To a certain number of the sons of *Æsculapius*, for giving it as their opinion, that a man cannot be killed by fracturing his skull. I should be glad, I say, to know, whether, if the ministry were obliged to give an account of the manner in which the arrears of the Civil List were contracted, any such articles as those I have mentioned would be admitted into the catalogue. Let those answer who best can tell; for my own part, I presume not to dive into the mysteries of state.

A fifth thing which the people would have is, they would wish to see

see the laws take their free course, and be fairly and impartially executed, without respect of persons, or regard to party, and without being wrested and perverted, as they have lately too often been, in order to serve the purposes of ministerial vengeance. The truth is, when I consider the many flagrant violations of the law that have been committed, though of a very different nature, in the case of Mr. Wilkes, Mr. Bingley, and M'Laughlan, and that are now likely to be committed in the case of Balfe and M'Quirk, I cannot help fancying that we live in a period somewhat similar to that wherein serjeant Maynard lived, who, being asked by the prince of Orange, soon after the prince's landing in England, how old he was, replied, that he was so old he had outlived all his brother-lawyers, and, had not his highness come so seasonably, he was afraid he should have outlived the laws themselves. I am likewise inclined to think, that the conduct of our ministers bears a very strong resemblance to that of the Pope, who grants not only a full pardon of all past offences to those who will pay for it, but also a plenary indulgence of committing as many sins as they please for the future.

In like manner, our ministers have granted a pardon to M'Laughlan for murder, or, which is the same thing, they assisted him in making his escape from the punishment, which the law would have inflicted upon him; and they are now going, it is said, to bestow the same favour upon the two Brentford murderers, Balfe and M'Quirk. In order, therefore, to render their conduct perfectly of a piece with the conduct of his Holiness, I would have them grant a permission to the same Brentford assassins to commit as many murders as they please for the future, provided they commit them in supporting the interest of their worthy patrons; and that they may have full opportunity to exercise their bloody art, let them be armed, as usual, with bludgeons, and sent to the city-coffee-houses, where they will hear the character of their masters treated with great freedom, though with great justice; and where they will find a better pretext, though not a better reason, for murdering the citizens, than they could possibly have for murdering Mr. Clarke.

A sixth thing, which the people would have, is the free and undisturbed enjoyment of their natural, hereditary, and unalienable right of choosing their own representatives in parliament, without running the risk of being knocked on the head, like bullocks, by the irregular troops of the ministry, in the act of choosing them; or of being shot through the heart, like wild beasts, by the regular troops, for presuming to look at them after they have chosen them; and still less, without any minister daring to tell them, in direct violation of the spirit of the constitution, that such and such men they shall not choose for their representatives, at the peril of having no representatives at all.

A seventh thing which the people would have is, that if any of them should be guilty, or suspected to be guilty, of a crime, they should have the benefit, to which they are intitled, of being tried by a jury of their peers, and not condemned at the arbitrary will of any judge, or any set of judges, in the kingdom; and that no man, without such a trial by his peers, should be imprisoned for life,

life, or in such a manner as to be deprived of the advantage of the *Habeas Corpus* act, without submitting to terms and conditions, which are not only inconsistent with, but totally subversive of the laws of the land. And yet this is the very case of the unhappy Publisher of this paper. In a word, they would not have the law-makers, and the law-dispensers, to be themselves the breakers of the law, which can never be sincerely respected, nor is likely to be faithfully observed, by the lower ranks of men, while it is thus wantonly and unnecessarily violated by the higher. They would not have the law relaxed in one instance, nor strained in another, as may best suit the ends of the ruling party. They would not have murderers, tried, convicted, and condemned murderers, to escape, while libellers, or rather, indeed, suspected libellers, are severely, cruelly, and even illegally punished. They would not have any man, as lord H-l-l-f-x lately did, think himself, or at least act as if he thought himself, above the law; nor would they have any, as Mr. Wilkes has often been, harrassed, persecuted, and oppressed, against all law and justice.

Such are a few of the many things, which the people would have, which they ought to have, which they know, to their sad experience, they have not, and which yet till they have, they will never be satisfied; and all attempts, or, as the ministry phrase it, all vigorous measures, to reduce them to a state of intire submission without these things, will only aggravate the evil, will inflame instead of allaying their resentment, drive them first to despair, and perhaps, in the end, to the most dangerous extremities.

F. G.

To the NORTH BRITON.

S I R,

THERE is a folly under the Sun, which is not a new one, but yet very pernicious to government; I mean that trick, which your small courtiers and candidates for excisemen's ink-bottles have always had, of railing at every action performed, perhaps, ten centuries ago, because done by men who had ever so remote a relation to those at present in opposition to the ministry. Was every principle maintained by Hampden wrong, because many of those, who now call themselves Whigs, disagree in their sentiments with the ministry? I can see no connection in such reasoning. The ministers, I believe, will be self-sufficient enough to acknowledge, that *non tali auxilio, nec defensoribus istis tempus eget*. As I apprehend that the editor of *Reliques of English Poetry* has been guilty of drawing such unjust parallels, he will excuse me if I point out to him what appears to me exceptionable in his performance.

But first, I must beg leave to return thanks to Mr. Piercy for the entertainment afforded me by his collection. Every body must agree, that he has acquitted himself very handsomely both in point of taste and learning. His materials, to confess the truth, did not answer my expectation; but perhaps it ought to be attributed to a very laudable determination, not to admit any piece contrary to good manners. I heartily wish, that candour would permit me to commend his reserve equally in other respects. What could possibly induce a gentleman of his sense to convert a collection of old ballads into a political pamphlet? Why must a
lampoon

lampoon written 500 years ago be prefaced with an observation: "that the liberty the good people of England assume of railing at their betters is the custom of the country, and, perhaps, part of their legacies from their forefathers?"—If this is the case, methinks we are not in so bad a way as some people tell us, since, notwithstanding this inundation of libellous verse and prose for half a 1000 years, we are still in possession of the best constitution upon earth; and the *torrent of licentiousness* may roll on to complete the millennium, and neither "chaos nor a deluge come again." The inference seems so natural and apt, that one might be at a loss to determine, whether Mr. Piercy did not intend that application of his remark upon the *Longevity* of licentiousness, if he had not set up a very peculiar signal to direct us in our search of his meaning, viz. an *allegorical* print: Sedition and her crew appear demolishing an imperial statue, on the pedestal of which is engraven, in large characters, MAGNA CHARTA, "on purpose to shew," that magistracy and liberty must stand and fall together. The proof is, to be sure, demonstration; such, indeed, as was never essayed before, except by *Jack* to prove the existence of God, and by Sir Hudibras in his Examination of Bread and Butter.

But whatever intrinsic merit this proof may have, I cannot but think it absolutely out of place. I must beg leave to apply *non erat his Locus*, again, to "a narrative founded on fact," as how Jemmy Dawson was hanged, like a dog, for nothing in the world but doing every thing in his power to put our liberty and property under the protection of the king of France, our lives and consciences in the guardianship of the Pope. I would ask the editor seriously for what purpose he makes the observation, that Sir George Bowes made a greater effusion of blood in the north after the insurrection in favour of the Roman Catholic party, than James II. after Monmouth's rebellion? I will attribute it to inadvertency, and not suppose it mentioned on purpose to shew, that the Catholic is the more humane institution. But whether some persons will not consider it as an hint given, that we are in arrears with the papists, for which they are free to draw upon us—the Irish draught, &c. being only sufficient for the current interest—may perhaps be worth Mr. Piercy's second thoughts. After Jemmy Dawson quits the stage (whose presence we could well have spared, and who is introduced for no other reason, than on account of a trifling difference from the original appearance in Shenstone's works) the scene is closed with the GHOST of a city-bard, in which character, to say the truth, he makes his best appearance, but he may be seen in every street in town, and therefore there was no occasion for it here.

I am very sorry, that a person of Mr. Piercy's elegant taste in the Belles Lettres should give an opening to the malignant to suppose, that he meant to pay his court to the great, at the expence of honour and understanding. For my part, I consider them as blemishes *quas incuria fudit*; and therefore hope in the next edition (which the public will most probably have taste enough to call for) to find that he does not confine himself only to the praise of one half of the nation.—I am, Sir, his, and your humble servant,

A. B.

THE
NORTH BRITON.

NUMBER XCV, (or XLIX, of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

Date Obolum Belisario.

SATURDAY, MARCH 11, 1769.

I HAVE had frequent occasion, in the course of this paper, to express my apprehensions, that the arrears of the civil list were grown altogether enormous; and I have now the satisfaction, though indeed the melancholy satisfaction, to find that these apprehensions were but too well founded. The ministry have at last made a direct application to parliament for the payment of these arrears, which, by their own confession, amount to 500,000*l.* and upwards. How this debt came to be contracted, is, I am afraid, a secret, which will never be revealed, as it probably could not, without covering those, by whom it was contracted, with infamy and disgrace, and perhaps exposing them to the most imminent danger. But that it ought not to have been contracted at all will be evident to any one, who considers the immense sum allotted for the civil list, compared with what was formerly allowed for this purpose.

Anciently indeed, and till the revolution, there was no such thing as a civil list, strictly so called, there being then no distinction between what was assigned for the support of the king's household and of the dignity of the crown, and what was appropriated for the public service. In consequence of this confused state of the finances, the prince had it in his power to reserve as much as he pleased for his own private use, and employed no more than he thought proper in the service of the nation. Hence it was, that, during the reign of the two last princes of the Stuart-line, the public revenue was constantly embezzled, and large sums were frequently sunk, without being applied to the purposes for which they were granted. In order to remedy this growing evil, which threatened to be productive of the most fatal consequences, a law was made at the time of the Revolution, allowing a separate income for the support of the king's household and the dignity of his crown, and subjecting all the rest of the revenue to the controul of parliament.

It will no doubt, however, seem somewhat strange, that the whole revenue of king Charles II. did not exceed 1200,000*l.* *per annum*, nor that of king James the Second 1800,000*l.* That the first of these princes, besides the immense sums he bestowed upon
his

his mistresses, maintained his queen's court, and his numerous progeny; the second supported his queen's court, the queen dowager's, and the princess Anne's family; and both of them defrayed the expence of a small army and a numerous navy, and all the other necessary charges of government: and yet that, after all these considerable outgoings from so small a revenue, both of them retained a sufficient sum to bribe a majority in both houses of parliament. What then must be the danger arising from the present exorbitant power of the crown, which, besides the sum of 800,000*l.* *per annum* for the civil list alone, and not one farthing of which is diverted into any other national channel, is intrusted with the management of about eleven millions more? For I have heard it computed by those who have the best opportunities of knowing, that the money raised upon the people exceeds by one third that which is applied to the public service.

The truth is, the power of the crown is now increased to such a degree, by the infinite number and intolerable weight of the taxes, and, as a necessary consequence, by the immense number of placemen and pensioners, that it may be safely affirmed to be much greater in the present reign, than ever it was by virtue of the prerogative in the reign of the Stuarts; and, if not narrowly watched and vigorously opposed, may prove as fatal to our liberties: our ruin, indeed, may be more slow and more silent; but it will, I am afraid, on that very account, be more sure and more certain. What, then, shall we think of the modesty, not to say the equity, of those ministers, who, not content with the large revenue which the crown already possesses, would willingly make it larger, if not by fair and honourable means, yet in a secret and underhand manner, by running in arrears, and then calling upon the oppressed and almost exhausted people to make good the deficiency.

But perhaps I shall be told, that this has been the practice of all English princes since the Revolution: to which I answer, that king William and queen Anne had, neither of them, more than 600,000*l.* *per annum* for their civil list; and that queen Anne, only once during her whole reign of thirteen years, applied to parliament for the payment of a debt of 500,000*l.* though 'tis well known, that she contributed more than that sum to the expences of the war, to the building of Blenheim-house, and other public uses. And though king George the First had 700,000*l.* and king George the Second 800,000*l.* *per annum* for their civil list, yet ought it to be considered, that both of them had a family of a prince of Wales to maintain, and besides, as was hinted in my last paper, they had the specious, and perhaps even the just plea to urge, that the funds assigned for making good the civil list had fallen short of the sums which they were intended to produce.

But nothing of that kind can now be alledged. And indeed I well remember it was the general boast of the court-sycophants at the commencement of the present reign, that we might now expect to see very different days from what we had hitherto seen. None of those little, dirty, knavish tricks, which had lately been practised. Every thing was to be open and above-board. No pretences, as false in fact as they were insidious in design, of any deficiency in the civil list funds, whilst there were considerable exceedings. Let the crown only have 800,000*l.* *per annum* for the purposes of the civil list; and the ministry would pledge their honour—and who shall doubt their honour?—that the
people

people shall never be required to pay one farthing of debt on that score. The crown had the money, and what has been the consequence? Why, the people are now required to pay a debt of 500,000l. upon that very score. *En hæc promissa fides est!* Thus have I seen a juggler with a grave look on one side of his face, and an arch smile on the other, hold up his hands, and say to the spectators, you see, gentlemen, my hands are empty, all fair and open; and whip! in an instant your watch is gone.

How this debt is to be discharged is a question that is not so easily solved. Some think that a charitable collection through the whole kingdom would be the most eligible method; and as the present ministry have the happiness to be so universally beloved, there is no doubt but the requisite sum would, by this means, be very soon raised. The freeholders of Middlesex, in particular, would be uncommonly liberal on the occasion, convinced, as they must be, that part of the debt was incurred by paying Irish chairmen to keep the peace at the late election at Brentford. Besides, this method would effectually stop the mouths of the factious and discontented, by shewing them, that the ministry are not afraid to throw themselves on the affections of the people; and, indeed, no ministry should ever be suffered to conduct the affairs of this nation, that is afraid to take such a step.

Others imagine a lottery would be a still better method. But is it not hard, because the ministry have gamed away five or six hundred thousand pounds of the public money, that therefore the whole nation should be set a gaming? Is it not enough that our pockets are picked? Must we likewise have our morals corrupted? For nothing, sure, tends more to the corruption of our morals, than that universal spirit of gaming, which a lottery never fails to produce. But this, I believe, is the very design of the ministry. They well know, that no people ever lost their liberty, until they had lost their virtue; and as they seem resolved to deprive us of the former, it is certainly their business, in the first place, to rob us of the latter. And in order the more effectually to accomplish their end, they need only hold out their own characters as patterns of imitation to the public; for could they once render the general body of the people as profligate and abandoned as they are themselves, their work would be done; we should then be ready for receiving that yoke, which our worthy rulers have been so long preparing for us.

A third set propose, as a more equitable means of discharging the arrears of the civil list, that a tax should be imposed for this purpose upon pensioners and placemen, as nothing, they say, can be more reasonable, than that those who occasioned, should supply, the deficiency; but when I hear of a resolution of all the gamblers and sharpers in the kingdom to make restitution to those they have defrauded, then, and not till then, shall I expect to see such a scheme adopted. E. B.

To the NORTH BRITON.

S I R,

Non Numero, sed pondere, Major:

Pars Sumus—

SILIUS ITAL.

AS the imputation of *faction* to all opponents of ministerial measures seems to be the darling topic and triumphant argument for ever ventilated from the mouths of placemen and pensioners, and of all others who pay court to power and administration;

tration; it will be a seasonable subject to discuss the nature of faction, and to point out what this opprobrious name imports. On this point, I have been much struck with the sentiment of the great, the good, and wise Dr. Whichcot; (whose equal, in the opinion of the noble † author of the Characteristics, will not easily be found, and his superior perhaps no where). It is the 504th Aphorism among those published by Dr. Salter, master of the Charter-House. “A great *faction* is many persons, yet but “*one party*; and that is but *one opinion*. Such a faction is but *one* “*man* in point of *judgment*. *One free-spirited* man is, in this particular, *equal* to a whole faction.” This excellent and candid writer had his eye upon general councils, and doctrines established by their votes and opinions, when he spoke this; but the aphorism or maxim is as true, when applied to political or national councils and senates.

I propose, therefore, to make use of it as a kind of test and touchstone, to prove what is the difference and distinction between a faction in a state or kingdom, and the state or kingdom itself. And this method of inquiry may probably dissipate that confusion and intricacy, in which general propositions are too often and designedly involved, in order to obscure and perplex the plain truths and principles resulting from them. The state or community is the general body of the people; the government consists of a few, or perhaps of one person, to whom the charge and superintendency of the whole is entrusted. The ruling party form the natural guardians and promoters of the public interest, by their office and delegation to power and dominion, as common sense, the inheritance and birth-right of mankind in general, never taught millions to conspire against their own safety, lives, liberty, and property. In this true light of power derived to rulers, the people or community can never constitute a faction against the governing part; but the few or governing part (and what kingdom is not governed by a few men, the servants of the public?) may soon degenerate into a faction: and, for private ends and personal views, may combine against the general good of the whole body.

And indeed, according to the uniform experience and testimony of history, the few will always aim at private advantage, and sacrifice the interest and happiness of millions to their own grandeur, riches and power; till at last, the general good is no longer thought of, nor the people regarded, who alone gave them their first authority and importance for the great public end of the safe and free enjoyments of life, liberty and estate. How clear does this truth appear, from the forms of aristocratical and despotic governments? It is not probable, that either sort were originally in their present form; but they all grew, by gradual usurpations and silent encroachments upon the natural rights of the people, to that bulk of greatness and sovereignty they now appear in. As then, the sentiment and judgment of the community can never deviate from the primary and only end of all government, the good and safety of the whole, so this sentiment can never make a faction; for the specific idea and very nature of a faction is that of a small part, counteracting the sense and understanding of the far greater part of any nation or people. The community may be, and too often has been, imposed upon and deluded by designing men, who have pretended to espouse its

† See lord Shaftesbury's preface to a volume of select sermons of Dr. Whichcot.

cause; yet millions of fathers, husbands, masters of families, and proprietors of goods and lands, can never be so lost to the dictates of that good sense which they discover upon all inferior occasions and affairs of less moment, as to surrender the happiness and security of themselves, children and families, to the discretion or virtue of any man, much less to the chance and hazard of good or bad hearts and heads in their governors. This infatuation never seized millions of people, nor even thousands; and therefore it is impossible for them to constitute a faction, or to act with design and consent against their own welfare. The existence of a faction, and the danger of this political evil, must be looked for from the side of the ruling party, which from the nature of human society must ever consist of a few persons, or a very small number of the whole body. Yet, though history, (which is the criterion and school of the actions, passions, interests and views of mankind) confirms this representation of men and manners, it may happen, that the governing party shall put on the appearance of acting with the consent and concurrence of the general body, and yet, upon inquiry, be found only a faction, a *minority* below all calculation, when confronted and compared with the aggregate sum of the whole people. And this delusive appearance is held out to blind, weak and undiscerning minds, whenever the state is unequally represented; whenever the judgment and good sense of millions, of equal capacity, property, reputation and integrity, is, or can be, controuled by the opinion and will of a few.

This case is not only probable and possible, but exists in every state, where the governing party can influence the majority of a national council or senate, to approve and confirm all their methods of administering the commonwealth.

For, if such a majority consist not of men who represent that proportion of the kingdom which exceeds the other both in numbers and property, and who act as their delegates and substitutes, though it make the far greater number of voices in that senate, it is only a real minority, a faction, or small part, against the general community: it is just as much this, in fact, as if the villages, or most insignificant towns, should have equal voices, and consequently equal weight, with the most populous cities and counties, when the number and property of one among these last shall be equivalent to an hundred of the former. But such absurd disproportion takes place, when the votes from the deputies of such parts of any kingdom carry as much authority and decision in public measures. And though a majority of voices, founded on this stupid inequality, must, in common sense and reason, be infinitely the minority, and, as such, be justly entitled to the odious name of a faction, it would assume the air and importance of a real majority, and act with as much magisterial power, as if the numbers and property of the greatest part of the nation were on their side. Nay, it would proceed so far as to silence, or disgrace, all opposition, by throwing the charge of faction upon the adverse party, though that really be the majority, both in the numbers and property of the people they represent. And this greater evil would follow such a pretended majority, that, although it were, to all intents, a faction, it would put on the mask of a national council, when it could only be the council of a few of the governing part at most. In such a state of things, the voice of one or two free-spirited men would overbalance

overbalance the greatest number of the others: for, notwithstanding they were many persons, their judgment would only be that of *one* or *two* leading servants on the side of government; they would at best be the echoes of the wisdom or ignorance of a prime minister, who should dictate to them what they must implicitly approve and support.

Nay, if this faction should gain such a superiority, as there should remain but one man of an independent spirit in the whole senate, his opinion would justly challenge more attention, and claim more regard from the community, than the united suffrages of all the rest. Their number could only form a larger faction; their mouths could only serve as so many trumpets to sound abroad the opinion of one or two conductors (the *oligarchy* of all governments) and they themselves could be considered in no other light, than as servants bound to obey the mandates of their masters. Yet, in such a situation of affairs, one, two, or twenty men, who should oppose their measures, would be stigmatized as factious and turbulent demagogues, as sowers of sedition and discord in the kingdom; when, in truth and justice, such deserve the highest honour and confidence of the whole people. I will not say, that it shall ever happen in political matters, as it often has happened in general councils for religious points, that only one or two, or a very few at most, have had virtue and intrepidity enough to dissent from, and oppose measures adopted by hundreds of dependent and servile dispositions, and to bear with firmness the reproach and obloquy of being called contumacious and factious disturbers of public peace and authority; yet such a case may happen; and if corruption goes on much farther by places and pensions, it will soon shew itself among us. Such a state of affairs would be without remedy on the side of the people, that is, millions would have no power to remove the burthens and grievances which a part, a faction, had laid upon their backs. In such a melancholy situation, every honest man would regard the national council as a shadow, as the will and wisdom, or the ignorance and inexperience of one or two principal agents; as an assemblage of men, not to give advice, but to approve and authorize the measures before adopted by their masters.

The sensible and virtuous part of the people would consider the prime minister, as they would the Pope presiding in a general council, and sitting there to give out the decrees, canons and laws of his own personal infallibility and supremacy to the sycophants and creatures of his own power, to cardinals, archbishops, bishops, abbots, &c. and not attending there to receive the council of men as wise, good, and experienced as himself. All that such a council could do, though affecting to represent the voice and wisdom of the nation, ought to be regarded as the opinion and legislation of one man; and that man, in all probability, the most capricious, fallible, and self-interested of the whole faction. For a faction such an assembly would be; and the title of faction might be justly wrote over the door of their place of meeting, though the doctrine of the times should happen to be this, That Truth itself shall be deemed the greatest libel, and be prosecuted by some *Inquisitor-general* of the state, *ex officio*.

Hampstead, Feb. 15,

1769.

ANDREW MARVEL.

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S A T U R D A Y , M A R C H 18, 1769.

Who so sheddeth man's blood, by man shall his blood be shed: for in the image of God made he him.
GEN. ix. 6.

WHILST every art is industriously employed to elude the execution of the laws, and to screen notorious and condemned murderers, we hope the following remarks upon Mr. Clark's Case will not prove unacceptable to the reader.

To JOHN WILKES and JOHN GLYNN, Esqrs.

GENTLEMEN,

THE circumstances of the affair, which render the following examination necessary, render also the dedication of it to you peculiarly proper. The support you *have* given, and I hope *will continue* to give, our suffering constitution and violated rights, makes every testimony of esteem your due. Among the injuries offered to our liberties, the transaction of the 8th of December at Brentford, was surely not the least atrocious. The late attempt made to screen the condemned perpetrators of that horrid deed, though weak and contemptible, may serve to shew us, how desperate and despicable they are who seek for refuge in such wretched artifices.

To do the public justice, by taking from those who would oppress it even this resource, is the object of the following pages.

The preservation of our lives and liberties, calls aloud for public punishment on those who *are*, or *shall be* found guilty of perpetrating, or abetting that inhuman transaction. If they who have committed an outrage so dangerous to the safety of their fellow-subjects, so mortal to every thing that is dear or sacred to men and freemen, be protected by power, or screened by artifice from the punishment they merit; who shall act with freedom, who shall walk in safety hereafter?

The crime is as new, as it is dangerous and daring. Never was there an offence, in which the exemplary terror of the law was more necessary to the public safety. Never was there an offence, in which the tender hand of mercy was more effectually tied up. It stabs the very vitals of our constitutional freedom, security, and happiness; and mercy to the individuals would be a mortal blow to the public. It cannot be expiated; it may be prevented. The severity of the law, if it effects this, will be the safety of the people.

As your conduct, gentlemen, cannot but obtain the applause of all who are friends to our happy constitution; so I hope you will receive universal support in vindicating its invaded rights.

With that zeal, which the cause of liberty ought ever to inspire, and that esteem for you, to which they who generously assert it, are always entitled,

I am, GENTLEMEN,

Your most humble and devoted servant,

THE AUTHOR.

EXAMINATION into a late Opinion concerning the Death of Mr. Clark; with Opinions and Cases from the best Authors, touching the Judgment to be formed of Wounds of the Head.

CONCERNING the death of Mr. Clark, the facts which appear from the testimony of witnesses on the tryal, are as follow:

That he was a sober young man, in good health, when, on the 8th day of December 1768, he received a blow on his head from a stick, which made a contused wound, from which there was a considerable effusion of blood. That, having fled to a place of safety, he began to complain of pain in his head, lost his spirits and appetite, in a few days took to his bed, and on the 14th, that is, in six days after receiving the blow, he died. Mr. Foot, a surgeon called in to examine the body, deposes, that, upon examination, and dissection, he found the external teguments of the head wounded, contused, and inflamed, the skull or cranium not fissured or fractured, the membrane called *dura mater* inflamed, and under it a quantity of extravasated blood; that called *pia mater* also much inflamed and ruptured; the brain itself not apparently injured.

Upon these grounds he gives it as his opinion, that the blow was the cause of Mr. Clark's death.

Common sense, unembarrassed by the splendour of court-funshine, would, I presume, direct every man to form the same judgement. No one could hesitate to impute the death of a man to a blow, in consequence of which, without any other apparent cause, a person in good health should soon sicken and shortly die. Such is the case before us; in which three juries, and I believe, the public, have unanimously concurred in sentiment with Mr. Foot. But we have lately seen the court of assistants at Surgeon's-Hall, called upon, *by authority*, to give their opinion; and they, unanimously, it is said, agree, that Mr. Clark's death was not owing to the blow he received. This, as was intended, will doubtless stagger many, who, however desirous they may be of seeing the most atrocious crime of attempting to violate the sacred freedom of election punished with exemplary severity, would not wish to urge the fate even of wicked men, but upon the most just ground. To relieve the doubts of these, and to satisfy every one concerning this matter, I have taken the pains to collect and lay before them the opinions of the best medical and surgical authors on this subject, with cases in point, from which every one will be enabled to judge with what propriety the opinion of Mr. Foot is questioned.

The opinions I shall here adduce, cannot be suspected of being influenced, in this affair, by any motives of self-interest, nor of being modelled to the views of certain personages, so as to be of questionable authority. They are not time-serving opinions, and will therefore, I hope, be the more weighty and acceptable.

Hippocrates, the father of medicine, whose observations have been generally verified by all succeeding experience, determines those wounds of the head to be most dangerous which are made with a blunt weapon. He observes, that if in such wounds a fever happens on the 4th, 7th, or 11th day, it is surely fatal. It is favourable, says he, when neither accompanied with fever, loss of blood, inflammation or pain, or if these happen in the beginning only, and are soon removed.

The reverse of these we must conclude to be unfavourable: and such was the case of the unhappy Mr. Clark, who lost immediately much blood, complained of pain as soon as the commotion of his flight would suffer him, took to his bed about the fourth day, when probably he became feverish, having both the external and internal parts of his head inflamed, and these symptoms continued to his death. We may add to these, that feeling which, though he could not well express it, satisfied him that the blow occasioned his death. He wished he had never been at Brentford; the blow he received there, he believed, would be his death.

That wounds in general of the head are dangerous, is a fact of which all medical and surgical writers on the subject admonish us; and it is verified by innumerable observations. It appears, says the learned Van Swieten, from the whole history of wounds of the head, that such as were apparently very slight have proved fatal. There are many different parts, of flesh, bone, and membrane, between the skin and the brain; the more of these are injured by the blow,

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the more dangerous it is. The least dangerous indeed are those wounds which affect the integuments only; but even these are sometimes attended with the worst consequences. Although, says Boerhaave, they seem trifling, yet from the contiguity of muscles, tendons, sutures, periosteum, bones, nerves, vessels, and brain, they become dangerous, and especially if accompanied by *contusion*. It is evident, says Van Swieten, that prudent surgeons ought to be very suspicious of wounds on the head which are attended with *contusion*.

I will venture to say, that any physician or surgeon, from seeing the external large, contused, and inflamed wound on Mr. Clark's head, made by a blow which appears to have beat him down, and hearing that soon after he complained of his head, sickened and died, must have given it as his opinion, that the blow was the cause of his death. His opinion would have been warranted by anatomical knowledge, and by innumerable surgical observations. It will not be necessary to recite here more than a few of these for the unskilful reader's satisfaction: no person acquainted with anatomy or surgery will dispute the assertion.

Heister, a man of great authority, observes, that in those wounds of the head which do not penetrate the skull, and are made by a slight stroke, or fall, or by a blunt weapon; some small veins or arteries are sometimes bursted inside of the head, which pouring out blood on the brain produce bad symptoms and speedy death. From the communication between the external and internal parts of the head, it may happen, says the learned Platner, that if the external membrane or covering of the head be struck, though the bone is uninjured, yet the *dura mater* may be violently and dangerously inflamed. Pigray, a surgeon of great experience, observes, that he has seen a great many wounds of the head, in which no severe symptoms happened, yet they occasioned death; and this especially when a fever ensued about the third day.

Mr. Pott warns us, that, as there is, and must be, a constant communication by means of blood vessels, between all parts without and within the head, it will appear that injuries done to this part, though seemingly, and at first sight, slight and trivial, may sometimes prove of the greatest consequence.

I will not accumulate opinions on this matter; no writer on the subject can be consulted, who will not give authority to what I have said. But, as it may be more satisfactory to many readers to have some cases in illustration of it, I shall relate a few out of the abundance that is to be found in Bonetus, Morgagni, Pott, and others.

CASE 1. A young man received a very slight blow on the head, from a light willow stick, and died on the eleventh day. Where the weapon struck him, the bone appeared of a bleuish colour, and matter was found within the skull, between it and the *dura mater*, under the wounded part.—It is proper to observe that matter is an infallible sign of preceding inflammation; though this may, and does often, occasion death before the matter is formed.

CASE 2. A soldier, kicked on the head by a horse, was sick for nine weeks, with some intervals of apparent recovery, and then died. On dissection, not the least crack could be discovered in the skull, nor any appearance of depression in the bones; but under the part struck, the substance of the brain, for some depth, was like a rotten apple, and the *pia mater* was somewhat corrupted.

CASE 3. A person struck on the head with a blunt weapon, after some time died. The *dura mater* opposite to the blow was found putrid, the substance of the brain corrupted; every thing on the other side in a sound state, and the skull itself perfectly entire and uninjured.

CASE 4. A man falling, struck his head, and sometime after died. Being opened, the skull was unhurt, but the membranes of the brain, and the brain itself, were corrupted.

CASE 5. A woman lost her life on the 11th day, from a blow on the head with an iron pestle; and though the skull was unhurt, yet matter was found between it and the *dura mater*, which was also in a corrupt state.

CASE 6. An old man, in liquor, received a wound from a stone on the hind part of his head, which neither made him fall nor vomit: he died of it in about 20 days; the skull and *dura mater* were found a little thickened; the *pia mater* had on its surface, under the part that was struck, a little jelly-like matter corrupted, and very offensive; the brain under it began to be corrupted.

CASE 7. Wiseman relates that a young man, by reason of a blow on his forehead with a cudgel, took his bed and became delirious, a sopor followed, and
after

after some days, he died. We took off the skull and *dura mater*, and found but little blood extravasated, the *pia mater* as little altered. It appears from this, and there are many other instances to the same purpose, that even dissection will sometimes shew but slight appearances of injury from wounds of the head, which yet have proved mortal.

CASE 8. One more case, and that from Mr. Pott, is all I shall now recite to prove the fatal effect of a wound on the head, not apparently severe, but which all the art of this skilful surgeon could not remedy. A poor fellow crossing Tower-hill, got, before he was aware of it, into a mob, that was endeavouring to rescue a sailor from a press-gang. The man was knocked down; when the croud dispersed, he was found senseless, and in that state was brought to the hospital, where he was immediately let blood and put to bed. In an hour or two he was so recovered as to be able to give the preceding account. The next day he appeared to be perfectly well, nor did any mark of violence appear on his head, except one small bruise, and that so slight, that it might with more probability be attributed to the fall, than the blow. However, as he was positive that he had been knocked down, by a very smart blow, from a heavy weapon, &c. the surgeon bled him again, and ordered him to be kept in bed, and to a very low diet. At the end of three days, the man found himself so well as to leave the hospital, and go to work. On the 12th day, from the accident, he came to my surgery, and complained of being much out of order, said his head was very uneasy; that he was hot and thirsty, and at times so faint, that he could not pursue his labour. He looked ill, assured me he had lived very soberly from the time of his leaving the hospital, and that he had been in his present state for three days past. "I took him," says Mr. Pott, "into the house, bled him, &c." Without fatiguing the reader with a minute detail of this case, 'tis sufficient to say, that he continued under Mr. Pott's care, till he died, on the 17th day from his first coming into the hospital. Upon examination he found neither inflammation nor tumour of any kind, on any part of the head, but that which had been struck. Under that part, within the head, a very considerable collection of matter was found, lying between the *dura mater* and cranium or skull; but no appearance of disease any where else.

I must observe a little upon this case; Mr. Pott gives it us as an instance of the fatal effect of a blow on the head. It is evident that the degree of inflammation produced by it, was not near so great in this case, as in that of Mr. Clark; yet all his art could not prevent it from coming to the fatal issue of suppurating or producing matter. As the inflammation was so much greater, so much more extensive, and one of the coverings of the brain ruptured in the case of Mr. Clark, he died before it came to suppuration, which every surgeon knows is the usual consequence of a great degree of inflammation. Should Mr. Pott be of opinion, that, in his patient, the blow occasioned death, and in Mr. Clark did not, it must appear extremely strange; should he say the wound might with certainty have been prevented from being mortal, this case would put us somewhat in doubt. And what will still render it more questionable is, that of 27 patients wounded on the head without any fracture of the skull, 17 died, under the immediate care of this very eminent surgeon.

The principal injuries which the internal parts of Mr. Clark's head seemed to have sustained from the blow he received, were, 1st, The inflammation of the first covering called *dura mater*; 2d, Extravasation of blood; 3d, The inflammation and rupture of the second covering or *pia mater*.

Either of these might be deemed sufficient to occasion death; for there are cases wherein no other injury appeared upon dissection; and yet the accident was mortal; and this too without that kind of injury to the brain itself, which surgeons denominate *concussion*; and which, though it prove fatal, makes often no alteration in the appearance of the brain.

Wise man, a celebrated surgeon of our own country, has observed, that the *pia mater* is a most delicate fine membrane, and adheres so closely to the brain, that it can scarcely be hurt without a wound in the brain itself; which is for the most part mortal. It is true, the usual symptoms which immediately attend injuries of the brain itself did not appear in Mr. Clark; but experienced surgeons well know, and many cases recorded in books prove, that such symptoms are by no means inseparable from mortal injuries of the brain itself. A conviction of this from reading all the histories of wounds of the head made the learned

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Van Swieten say, "It must be confessed that sometimes the most dangerous wounds of the head penetrating into the very substance of the brain, are not immediately attended with very bad symptoms." And Wiseman relates the case of a foldier, who in a rencounter was so desperately wounded, that some of his brain came out; yet there were not for some time any bad symptoms, nor did the foldier complain.

It may, with the greatest reason, be supposed, that the *pia mater* being torn, must have injured the brain so as to render the blow more surely mortal; though not to produce the violent symptoms of concussion.

The following case so nearly resembles that under our consideration, that it deserves the most particular attention.

A young lady of quality, after being heated with dancing, struck her head against a post, and hurt it so slightly that the skin was scarce rased. As she felt neither pain nor inflammation from it, the wound, or rather bruise, was intirely neglected for two days. On the third day, it began to give her pain, wherfore a barber being called, and having shaved off the hair, finding no hurt, made light of it. But, on the fourth day, the lady was seized with a slight fever, and a heaviness in her head. "I," says the learned author, "being called in, on the sixth day found her out of her senses, her face and eyes red, and her tongue dry. The next day she died. Her head being opened, some blood was found collected under the skull, and both the coverings of the brain were inflamed. The skull was entirely uninjured."

The author from whom I have taken this, relates it as an instance of a mortal blow on the head, nor do I believe it ever entered into any man's imagination to suspect any other cause of the lady's death, or to impute it to the fever which followed, independent of the blow. The injuries received by the internal parts of the head, from that blow, were in every respect similar to those which Mr. Clark suffered, except that in him, the *pia mater* being rent, rendered it more dangerous. She accordingly sickned and died, very exactly as he did. Whether, indeed, his symptoms, near his death, were precisely the same, I do not yet know; nor is at all material in determining our judgment, since there is often a variety in the symptoms, though the issue is equally mortal.

I have thus laid before the public, such an account of this matter, as I think will be very sufficient to convince every reader, that in this case of Mr. Clark, the cause was adequate to the effect; that is, the blow he received was sufficient to occasion his death. We have seen, that blows much slighter, have proved mortal; that injuries of the head very similar, have, in a similar manner, produced inevitable death. Surely then, we may, with all human certainty, determine, with Mr. Foot, that the blow Mr. Clark received at Brentford was the cause of his death.

As yet, the Court of Assistants have given us their *opinion* only; when they are pleased to favor us with *all* their reasons, for that opinion, they shall receive an answer. *Extraordinary*, no doubt, must have been those reasons, which made them form an opinion so repugnant to the ordinary course of nature. It is but just to suppose, that the uncommon manner in which the opinion was required, was attended with *weighty* reasons, which the corruptness of the times makes it unnecessary to mention.

It is now but too plain, who were the abettors of that horrid outrage at Brentford, by which the innocent Mr. Clark unquestionably lost his life. It is, I suppose, deemed a sort of duty (for the worst of men have their ideas of duty) to save their infamous instruments from the punishment they merit, and to which the laws have condemned them. Be this as it will, the event may teach us how very necessary it is that we should take care of ourselves, when so little regard is paid either to our liberties or lives elsewhere. Already have we seen the hand of tyranny stretched over America; and it is now uplifted to crush ourselves.

N. B. The court of assistants consists of twenty-one surgeons; of these ten are appointed master, wardens, and examiners; to the latter the question concerning Mr. Clark's death, was submitted; had it been laid before the court of assistants, I believe, upon good ground, it would have met with a very different answer.

The examiners are as follow: Mr. Hawkins, serjeant surgeon; Mr. Ranby, serjeant surgeon; Mr. Bromfield, serjeant surgeon; Mr. Middleton, serjeant surgeon, and surgeon general; Mr. Bromfield, surgeon to the Princess Dowager;
Mr.

Mr. Adair, government surgeon at Minorca, &c. Mr. Pott, Mr. Cowell, Mr. Crane, Mr. Fullager; Mr. Younge.

The public will perceive that five of the ten were *placemen*, which may suggest the reason of appealing to them, instead of the Court of Assistants.

To the AUTHOR of the NORTH BRITON.

S I R,

I beg you'd print the following Queries. Yours, &c.

A. L.

IF Mr. Clarke did not, after his returning from Brentford, and but a little before his death, grow delirious, and bite, tear, &c. the sheets with his teeth?

If this was not deposed to before the coroner?

If Mr. Starling was not examined before the coroner?

If he did not there, and on some other occasion, declare it as his opinion, that the wound was the cause of Mr. Clark's death?

If Mr. Bromfield examined the wound?

If he could examine it with any attention, or give any proper directions as to relieving the deceased, when Mr. Foot, after the death of the deceased, found the hair of his head full of sand?

If Mr. Bromfield did not refuse to have any thing to do with the deceased, *because it would be an Old Baily affair*?

If that is a fact, then, whether it does not shew Mr. Bromfield was of opinion, that the wound would be the cause of Mr. Clark's death?

If the deceased was in perfect health at Brentford, before receiving the wound, as expressly deposed to by Mr. William Beale (who is a freeholder of very considerable property) and by Mr. Richard Beale, a freeholder, and deceased declared his own opinion, that the wound would be his death, and he died a few days after, what, but the wound, could be the cause of his death?

If the opinions of ten or eleven men, not on oath, called together in a *very strange and unusual manner*, is to contradict the verdicts of three juries, who are on oath?

To the Gentlemen, Clergy, and Freeholders of the County of Middlesex.

GENTLEMEN,

AFTER the sense of the County had so lately appeared in the clearest manner by my unanimous re-election, I did not expect that any gentleman could have been found to oppose me, still less in so unfair a way as by a declaration not many hours previous to the Poll. The Advertisement of Mr. Charles Dingley in every public paper is stolen upon us only this morning, altho' the day of election has been fixed near a month. This plan of trick and surprize has been however concerting for some weeks in a clandestine and dark manner with the enemies of your freedom and independency. The meanness and artifice of this ungenerous attack is to be ranked among the various ministerial measures employed to set aside the man of your free choice, but your firmness and spirit have rendered vain and fruitless all the contrivances of low cunning, and the efforts of weak malice. My opponent declares under his hand, that *he had been solicited by some respectable Freeholders of the County of Middlesex to offer himself as a Candidate to represent them in Parliament on account of the present vacancy*, but in fact no Freeholder could be prevailed upon even to put him in nomination. The noble stand you have made this day in a cause, which is common to every elector of Great Britain, will be remembered with gratitude by our latest posterity. My personal obligations to you, Gentlemen, for your generous support on this occasion I can never forget, but as an Englishman the greatness of your conduct in so important and trying an instance affects me still more sensibly, for you have gloriously asserted the clear rights of every freeholder in the island, which a despotic Ministry had openly invaded.

The manly spirit you have exerted this day in direct opposition to every art and intrigue of a corrupt Administration, cannot fail of making a strong impression upon a set of men, who seek the ruin of public liberty. They have long lost sight of all national good, but they may now possibly refrain from further acts of despotism, and if we enjoy the noble privileges of our country confirmed by the *Great Charter* and the *Bill of Rights*, particularly those respecting the freedom of elections, secured to us by the wisdom and valour of our ancestors, we shall owe our happiness to the zeal and vigour, with which you, Gentlemen, and the other independent electors of this kingdom have supported these original and primary rights of Englishmen. Whatever be the consequences of this day's proceedings, you have the satisfaction of having borne your testimony to the just claims of every Freeholder, and the best rights of our inheritance. The nation will in this age do justice to your merit; but your reward will not have an end with the present times; your names and memories will become dear and venerable to all future ages.

I am, GENTLEMEN,

With much respect and gratitude,

Your affectionate, and faithful humble servant,

JOHN WILKES.

King's Bench Prison.
Thursday, March 16, 1769.

Sold by W. BINGLEY, opposite Durham Yard in the Strand. Where likewise may be had any of the former Numbers, and Complete Sets sewed in Blue Paper.

T H E
N O R T H B R I T O N .

NUMBER XCVII. (or LI. of the CONTINUATION.)

To be continued every *Saturday*. Price Two-pence Halfpenny.

S A T U R D A Y , M A R C H 25, 1769.

Nocturnâ versate manu, versate diurnâ.

H O R .

AT a time when our most valuable privileges, especially that of chusing our own representatives in parliament, are invaded in the most open and barefaced manner, by a set of arbitrary and despotic ministers, we thought we could not present our readers with any thing more immediately useful, than the following extract from the *Freeholder's Political Catechism*; a little piece written, about the year 1733, by the late Earl of Bath, then William Pultney, esq. and containing a short but judicious summary of the duty, as well as rights, of every English Freeholder.

Extract from the FREEHOLDER'S POLITICAL CATECHISM.

Q. W H O are you?

A. I am T. M. a freeholder of Great Britain.

Q. What privilege enjoyest thou by being a freeholder of Great Britain?

A. By being a freeholder of Great Britain, I am a greater man in my civil capacity, than the greatest subject of an arbitrary prince; because I am governed by laws, to which I give my consent; and my life, liberty, and goods cannot be taken from me, but according to those laws. I am a freeman.

Q. Who gave thee this liberty?

A. No man gave it me. Liberty is the natural right of every human creature. He is born to the exercise of it, as soon as he has attained to that of his reason; but that my liberty is preserved to me, when lost to a great part of mankind, is owing under God to the wisdom and valour of my ancestors, freeholders of this realm.

Q. Wherein does this liberty which thou enjoyest, consist?

A. In laws made by the consent of the people, and the due execution of those laws. I am free not from the law, but by the law.

Q. Wilt thou stand fast in this liberty, whereunto thou art born and entitled by the laws of thy country?

A. Yes verily, by God's grace, I will; and I thank his good providence that I am born a member of a community governed by laws, and not by arbitrary power.

Q. What dost thou think incumbent upon thee, to secure this blessing to thyself and posterity?

A. As I am a freeholder, I think it incumbent upon me to believe aright concerning the fundamental articles of the government, to which I am subject; to write, speak, and act on all occasions conformably to this orthodox faith; to oppose, with all the powers of my body and mind, such as are enemies of our good constitution, together with all their secret and open abettors, and to be obedient to the king, the supreme magistrate of the society.

Q. Rehearse unto me the articles of thy political creed?

A. I believe that the supreme, or legislative power of this realm resides in the king, lords and commons: that his majesty king George the second is sovereign, or supreme executor of the law; to whom, upon that account, all loyalty is due; that each of the three members of the legislature are endowed with their particular rights and offices; that the king, by his royal prerogative, has the power of determining and appointing the time and place of the meeting of parliaments; that the consent of king, lords and commons, is necessary to the being of a law, and all the three make but one lawgiver; that as to the freedom of consent in making of laws, those three powers are independent, and that each and all the three are bound to observe the laws that are made.

Q. Why is the legislative power supreme?

A. Because what gives law to all, must be supreme.

Q. What

Q. What meanest thou by loyalty to the king?

A. I have heard that *loy* signifies *law*; and loyalty obedience according to law; therefore he who pays this obedience, is a loyal subject: and he who executes the king's commands, when contrary to law, is disloyal and a traitor.

Q. Is it not a maxim in the law, that the king can do no wrong?

A. It is; for since kings do not act immediately by themselves, but immediately by their officers, and inferior magistrates; the wisdom of the law provides sufficiently against any undue exercise of their power, by charging all illegal acts, and all kinds of *male-administration* upon their ministers; by *the great regard which is paid to the king by this maxim, laying him under an indisputable obligation, not to screen his ministers from public justice, or public enquiry.*

Q. What dost thou mean by the royal prerogative?

A. A discretionary power in the king to act for the good of the people, where the laws are silent, never contrary to law, and always subject to the limitations of the law.

Q. Is not then the king above the laws?

A. By no means; for the intention of government being the security of the lives, liberties, and properties of the members of the community, they never can be supposed, by the law of nature, to give an arbitrary power over their persons and estates. King is a title, which, translated into several languages, signifies a magistrate with as many different degrees of power, as there are kingdoms in the world; and he can have no power but what is given him by law; yea, *even the supreme, or legislative power is bound, by the rules of equity, to govern by laws enacted, and published in due form: for what is not legal is arbitrary.*

Q. How comes it that those, who endeavour to destroy the authority and independence of any of the branches of the legislature, subvert the constitution?

A. By the fundamental laws of the constitution, the free consent and mutual concurrence of the three members is necessary to the making of a law: therefore *if the consent of any of the three is wilfully omitted or obtained by terror or corruption, the legislature is violated; and instead of three there may be really and effectually but one branch of the legislature.*

Q. Canst thou illustrate this by an example?

A. The royal authority, and that of the house of peers, were both destroyed by the house of commons, and by a small part of that, in the late civil war; so that the very form of government was annihilated.

Q. Can you give me an instance, where the form of government may be kept, and yet the constitution destroyed?

A. Yes. The forms of the free government of Rome were preserved under the arbitrary government of the emperors. There was a senate, consuls, and tribunes of the people; as one might say king, lords and commons; and yet the government under the emperors was always despotic, and often tyrannical; and indeed *the worst of all governments is tyranny sanctified by the appearance of law.*

Q. By what means fell that great people into this state of slavery?

A. I have read the Roman history, and by what I can judge, it was by *faction, corruption, and standing armies.*

Q. All those things might happen to Romans; but *did ever any parliament of this nation give up the liberty of the people?*

A. Yes. A packed parliament, in Richard the Second's time, established by a law the king's arbitrary power, and with leave to name a commission with parliamentary authority. Parliaments in Henry the Eighth's time were slaves to his passions, and one gave the king a legislative authority. And there are *many instances of parliaments making dangerous steps towards the destruction of the liberty of the people.*

Q. Who were the English monarchs, who were most indulgent to the liberties of the people?

A. The great king Alfred, who declared that the English nation was as free as the thoughts of man; the glorious monarchs, Edward the First, Edward the Third, and Henry the Fifth, who would not let his people swear to him till he had an opportunity of swearing to them, at his coronation. And the immortal queen Elizabeth, who declared it by law high treason, during her life, and a premunire afterwards, to deny the power of parliament in limiting and binding the descent, or inheritance of the crown, or the claim to it.

Q. When were those slavish maxims of hereditary, indefeasible right and prerogative, superior to law, first introduced?

A. In

A. In the time of James the First; who, by endeavouring to establish them, laid the foundation of all the miseries, which have since happened to this family; and it is the greatest security to the present branch of it, that such doctrines, which sow the seeds of jealousy between the king and his people, are by the present establishment quite exploded.

Q. What dost thou learn from those histories?

A. That a king of this realm, in the full possession of *the affections of his people*, is greater than any arbitrary prince; and that *the nation can never be effectually undone but by a wicked parliament*; and lastly, to be thankful to God, that under our present most gracious king, our constitution is preserved entire, though at the same time there are *many circumstances which call loudly for vigilance*.

Q. What are those?

A. Such as have been the fore-runners and causes of the loss of liberty in other countries: decay of virtue and public spirit, luxury and extravagance in expence, *venality and corruption in private and public affairs*.

Q. How comes there to be a decay of public spirit, when there is more than usual a desire to serve the public?

A. If a desire to live upon the public be a public spirit, there is enough of it at this time, when extravagance makes people crave more, and the administration of a public revenue (perhaps treble what it was before the Revolution) enables the crown to give more than formerly.

Q. What dost thou fear from this?

A. That such as *serve the crown for reward may in time sacrifice the interest of their country to their wants*; that *greediness of public money may produce a slavish complaisance, as long as the crown can pay*; and mutiny, when it cannot; and in general, that motives of self-interest will prove an improper and weak foundation for our duty to our king and country.

Q. What wouldst thou do for thy country?

A. I would die to procure its prosperity; and I would rather that my posterity were cut off, than that they should be slaves: I discharge the duties of my station, and exhort my neighbours to do the same.

Q. What are the duties of your station?

A. To endeavour, as far as I am able, to preserve the public tranquility; and, as I am a freeholder, *to give my vote for the candidate, whom I judge most worthy to service his country*; for if for any partial motive I should give my vote for one unworthy, I should think myself justly chargeable with his guilt.

Q. Thou hast perhaps but one vote of five hundred, and the member perhaps one of five hundred more; then your share of the guilt is but small?

A. As he, who assists at a murder, is guilty of murder, so he, who acts the lowest part in the enslaving his country, is guilty of a much greater crime than murder.

Q. Is enslaving one's country a greater crime than murder?

A. Yes; inasmuch as the murder of human nature is a greater crime than the murder of a human creature: or as he who debaseth and rendereth miserable the race of mankind, is more wicked than he who cutteth off an individual.

Q. Why is enslaving mankind murdering human nature?

A. Because mankind in the state of slavery and freedom is a different sort of creature; for proof of this I have read what the Greeks were of old, and what they are now, in a state of slavery.

Q. What is become of the heroes, philosophers, orators, and free citizens of Greece?

A. They are now slaves to the Great Turk.

Q. What is become of the Scipio's and Cato's of Rome?

A. They sing now on the English stage.

Q. Does not the tranquility, occasioned by absolute monarchy, make the country thrive?

A. Peace and plenty are not the genuine fruits of absolute monarchy: for absolute monarchies are more subject to convulsions than free governments, and slavery turneth the fruitful plains into a desert: whereas liberty, like the dew from heaven, fructifieth the barren mountains. This I have learned from travellers, who have visited countries in both conditions; therefore, as I said before, I should reckon myself guilty of the greatest crime human nature is capable of, if I were any ways accessory to the enslaving my country. Though I have but one vote, many units make a number; and if every elector should reason after the same manner, that he has but one; what must become of the whole? A law of great consequence,

sequence, and the election of the member who voteth for that law, may be both carried by one vote. Great and important services for the liberties of their country, have been done by ordinary men. I have read that the institution of the Tribunes of Rome, or the whole power of the Commons, was owing to a word spoke in season, by a common man.

Q. Is it not lawful then to take a bribe from a person otherwise worthy to serve his country?

A. No more than for a judge to take a bribe for a righteous sentence; nor is it any more lawful to corrupt, than to commit evil that good may come of it. Corruption converts a good action into wickedness. Bribery of all sorts is contrary to the law of God; it is a heinous sin, often punished with the severest judgments; it involves in it the sin of perjury, as the law stands now; and is besides the greatest folly and madness.

Q. How is it contrary to the law God?

A. The law of God saith expressly, *Thou shalt not wrest judgment: Thou shalt not take a gift.* If it is a sin in a judge, it is much more in a lawgiver, or an elector, because the mischiefs occasioned by the first, reach only to individuals, that of the last may affect the whole nation, and even the generations to come. The Psalmist describing the wicked, saith, *his right hand is full of bribes.* The prophet describing the righteous, tells us, *he shaketh his hands from holding a bribe.* Samuel justifying his innocence, appeals to the people: *Of whose hands have I taken a bribe?* Then as to divine vengeance, holy Job tells us, *That God shall destroy the tabernacle of bribery.* Achan's avarice, who had appropriated to his own use the golden wedge, and the Babylonish garment, brought the judgment of God upon the whole people, so that they fled before their enemies, till the criminal was discovered and stoned to death. The leprosy adhered to Gehazi, (the servant of Elisha) and his house for ever, for taking a bribe from Naaman, a rich minister of a great prince. Therefore he that taketh a bribe, may justly expect what is threatened in holy writ; *He shall not prosper in his way, neither shall his substance continue; his silver and gold shall not be able to deliver him in the day of the wrath of the Lord.*

Q. Why is he that taketh a bribe guilty of the sin of perjury?

A. Because he sweareth.

I A. B. do swear (or being one of the people called Quakers, I A. B. do solemnly affirm) I have not received, or had by myself, or any person whatsoever in trust for me, or for my use and benefit, directly, or indirectly, any sum or sums of money, office, place, or employment, gift or reward, or any promise or security for any money, office, employment, or gift, in order to give my vote at this election; and that I have not before been polled at this election.

Q. What thinkest thou of those who are bribed by gluttony and drunkenness?

A. That they are viler than Esau, who sold his birth-right for a mess of porridge.

Q. Why is taking a bribe folly or madness?

A. Because I must refund ten-fold in taxes of what I take in elections; and the member who bought me, has a fair pretence to sell me; nor can I in such case have any just cause of complaint.

Q. What wilt thou say then to the candidate that offers thee a bribe?

A. I will say, *Thy money perish with thee!* As thou art now purchasing thy seat in parliament, I have just reason to suspect that thou resolvest to sell thy vote. What thou offerest and what thou promisest may be the price of the liberties of my country. I will not only reject thy bribe with disdain, but will vote against thee.

Q. Is not the justice of a king sufficient security for the liberty of a people?

A. The people ought to have more security, for all that is valuable in the world, than the will of a mortal and fallible man. A king of Britain may make as many peers, and such as he pleaseth: therefore the last and best security for the liberties of the people is a house of commons, *genuine and independent.*

Q. What meanest thou by a genuine house of commons?

A. One that is the *lawful issue of the people, and no bastard?*

Q. How is a *bastard* house of commons produced?

A. When the people by terror, corruption, or other indirect means, chuse such as they otherwise would not chuse; *when such as are fairly chosen are not returned, when such as are returned are turned out by partial votes, and others not fairly chosen set in their places.*

Q. How may a house of commons become *dependent*?

A. When

A. When the freedom of voting is destroyed by threatnings, promises, punishments, and rewards; by the open force of government, or the insults of hired mobs; but above all by private influence; *or they, who are armed with the power of the crown, have many ways of gratifying such as are subservient to their designs, and many ways of oppressing such as oppose them,* both within the bounds of the law.

Q. Can a king have a more faithful council than a house of commons, which speaketh the sense of the people?

A. None; for they will not only give him impartial council, but will powerfully and chearfully assist him to execute what they advise.

Q. What are the marks of a person worthy to serve his country in parliament?

A. The marks of a good ruler given in scripture will serve for a parliament man; *Such as rule over you shall be men of truth, hating covetousness; they shall not take a gift; they shall not be afraid of the face of a man,* Deut. xvi. therefore I conclude, that the marks of a good parliament-man are integrity; courage; being well-affected to the constitution; knowledge of the state of the country; and being zealous for the liberties of the people: having *stuck to the interest of his country in perilous times,* and being assiduous in attendance.

Q. Who is most likely to take a bribe?

A. He who offers one.

Q. Who is likely to be frugal of the people's money?

A. He who puts none of it in his own pocket.

Q. You seem by this to be averse from chusing such as accept places and gratuities from the crown. What is your reason for this partiality?

A. I am far from thinking that a man may not serve his king and his country faithfully at the same time. Nay, their interests are inseparable. Mr. Such-an-one, my lord's steward, is a very honest man; and yet, if I had any affairs to settle with my lord, I would chuse my neighbour for a referee rather than my lord's steward.

Q. Why is frugality of the people's money so necessary at this time?

A. Because they have run out much, and are still much in debt. My father and I have paid our share of many millions, and I have heard there are many more to pay. I grudge not this prodigious expence, as far as it has been the necessary price of liberty; but as it would grieve me much to see this blessing ravished from me, which has cost me so dear; so it would give me double grief to have it purchased from me by my own money.

Q. Who are those who are careful of the trade of the nation?

A. Such as are willing to keep it from all vexatious interruptions by inspections, *entering into houses,* seizures, suits, and the oppression of tax gatherers, as much as possible; such as are willing to take off the burthensome duties which encrease the expence of the workman, and consequently the price of the manufacture.

Q. But as you have a freehold, would you not be willing to be excused from paying three shillings in the pound, by laying excises upon other parts of our consumption?

A. No doubt but every landed man would be glad to be free from paying three shillings in the pound; but, at the same time, I would not raise by another tax, two shillings in the pound, nor one shilling in the pound for a perpetuity; for parliaments who have no more to give, may be disappointed in the redress of their grievances. Then it is utterly impossible to raise by excises what shall be equivalent to three shillings in the pound, without the ruin of trade; for the excises, which are settled already, generally speaking, *raise double the duty upon the people, of what they bring in to the government.*

Q. How can't thou prove that?

A. By experience of several excises, as of leather, candles, soap, &c. Whatever is brought into the public by those excises is raised double upon the people; therefore if a million of money were levy'd by excise, it would be two millions upon the excis'd commodities, which must destroy every subject of trade in Britain.

Q. Why dost thou insist that a knowledge of the state of the country is a necessary qualification for a parliament-man?

A. Because this is a qualification, of late, very much unheeded.

Q. Is then a writ of parliament only a congé d'élire for a bishop, where the king nominates?

A. God forbid! The crown is never to meddle in an election.

To the Gentlemen, Clergy, and Freeholders of the County of MIDDLESEX.

GENTLEMEN,

IF I had not experienced your unwearied zeal for liberty and the defence of the fundamental rights of the subject, I should feel some uneasiness in being now obliged by a third expulsion to beg the favour of you to attend so soon again at Brentford to support your former choice. But I know you have the cause of your country at heart, and that you glory in every opportunity of convincing the world that you will never give up your title to a free election. If you tamely suffer this most valuable Right of choosing your own Representative in Parliament to be taken from you, or rendered of no effect, you must not expect that the enjoyment of any meaner, or more inconsiderable, franchise will be long permitted. The spirit of an Englishman revolts at the very idea, and the Freeholders of Middlesex have always firmly stood foremost in the day of trial, however severe and perilous.

The next County Court is fixed for Thursday the 13th of April, when the election will come on at Brentford. The appearance of my friends at an early hour of that day I shall esteem as a very particular obligation. I am, GENTLEMEN,

With deference and respect, your faithful, and obliged, humble servant,

King's Bench Prison. Saturday, March 18, 1769.

JOHN WILKES.

To the Gentlemen, Clergy, and Freeholders of the County of MIDDLESEX.

GENTLEMEN,

THE remarkable series of important events, in which you have been of late deeply interested, requires that I should state fully to you the motives of my conduct. No private consideration could induce me thus repeatedly to entreat the Freeholders of this respectable County to submit to the inconvenience of so frequent elections. I am actuated by a higher principle, by duty to you and to my native country. My sole motive is the hope of establishing by perseverance your title to a free election, which our forefathers transmitted to us as an hereditary claim, and our posterity will demand from us, as the guardians of their birth-right, of their best inheritance. I find that after ministerial power has been without success exerted in every form of corruption, division, and intimidation, to defeat your rights, another plan is at length adopted, and the vain hope of our enemies now is, that you will be tired out by the contest, by the increasing expence to which you are compelled. You will however I am sure continue to prove to the world that you are superior to this mean, wretched artifice, unseduced by corruption, undivided by artifice, and undaunted by every apprehension of future vengeance.

I cannot conceive any thing of greater importance to the preservation of public liberty than the event of the present struggle. The question is, whether the people have an inherent right to be represented in parliament by the man of their free choice, *not disqualified by the law of the land*. This question is now again agitated in an enlightened age under a Prince of the Brunswick Line, to whom the exercise of this very right gave the sceptre, in consequence of the glorious Revolution. It is a Right coeval with our Constitution, and stands among the first principles of our form of government, which reserves to the people a third part of the legislative power. It began at the very first faint dawn of liberty in our island, and will survive to the last convulsive pang of expiring freedom. It is a part of the original compact between the Sovereign of this nation and the subject, expressly stated in the BILL OF RIGHTS, which declares that in this, as well as in the other instances enumerated, our ancestors, as theirs in like case had usually done, VINDICATED and ASSERTED the true, ANCIENT, and INDUBITABLE rights and liberties of the people of this kingdom, which they CLAIMED, DEMANDED, and INSISTED UPON, and the whole legislature enacted, *shall stand, remain, and be the law of this realm FOR EVER*. Parliamentary Authority obliges every Sovereign at the Coronation to swear to the observance of that and all the other statutes of this Realm, and this excellent Act declares, that all officers and ministers whatsoever shall serve their Majesties and their SUCCESSORS, according to the same IN ALL TIMES TO COME. This right of the people is no less clear by reason than by the positive statute. There can be no representation, but when the greater number to be represented have freely chosen a person who is legally qualified. A representation without, or against, the consent of the parties is an insult to common sense, an absurdity scarcely to be paralleled, an injustice and insolence not to be forgiven.

In my case, Gentlemen, the legislative power has in no way interfered. A resolution of only one third part was obtained. The first expulsion was chiefly grounded on the pretence of what I had written relative to the massacre in these fields, which I did from the impression that bloody scene had made upon me. This I declared afterwards at the Bar of the House of Commons in pursuance of your instructions. From thence the first expulsion avowedly took its rise. I made an appeal to my constituents. You approved my conduct, and unanimously re-elected me. I was then expelled a second time, and no reason whatever was assigned. The day after this re-election, the present Administration procured a Resolution that I was, and am, incapable of being elected a Member, to serve in this present Parliament, and that the late election of a Knight of the Shire, for the County of Middlesex, is a void election, but you, Gentlemen, determined for yourselves, and would not surrender your right of choice. By this Resolution the Administration hath unlawfully deprived you of a right acknowledged to be yours FOR EVER by an act of the whole Legislature. To make this case, so subversive of your right, the more flagrant, it is expressly stated, *that there was not any kind of opposition to the election*. I still proceeded, Gentlemen, to appeal again to you, and by your favour my third re-election was as unanimous as the former. I was the next day expelled, with a similar declaration, *that no other candidate was proposed, and that no elector gave or tendered his vote for any other person*. In this last instance both the election and return are declared null and void. This contest is now become of the most interesting nature. It is between the present Administration and all the Electors of Great Britain. There is nothing personal in it. The cause is national, and of the first magnitude. On this public ground I will stand firm. No danger shall deter me from my duty, and while I continue to be entrusted by you in this important concern, I shall rely on your protection and support. In me you shall find obedience to your instructions, fidelity and indefatigable zeal for the maintenance of every right of this free and brave nation. I am, GENTLEMEN,

King's Bench Prison.

Thursday, March 23, 1769.

With affection and regard, your obliged and faithful humble servant,

JOHN WILKES.

Sold by W. BINGLEY, opposite Durham Yard in the Strand. Where likewise may be had, any of the former Numbers, and complete Sets sewed in blue Paper.

T H E
N O R T H B R I T O N .

NUMBER XCVIII. (OR LII. OF THE CONTINUATION.)

To be continued every SATURDAY. Price Two-pence Halfpenny.

S A T U R D A Y A P R I L 1 , 1769.

T H E E L E C T O R .
L E T T E R I .

*Qui apud multitudinem suâ causâ loquitur, gratior eo fit cujus mens nil
præter publicum commodum videt.* L I V Y .

S I R,

I HAVE a long while observed the strides, which the Tory party of this country have made against the Whigs, like an army hastening to an engagement. If it goes on with equal rapidity, a conflict must ensue. I now step forward to address my fellow citizens; and though I speak in my own cause, yet as the public weal is the true motive to my speech, I beg their favour, and the permission of using your paper and recommendation, as the only easy method of conveying my address to them. I appear in my real character of an Elector, and chuse the name, thinking it of great dignity in itself, so great that in a neighbouring country it takes place of Bishop, Duke, Prince, or King. The Elector of Cologne, the Elector of Saxony, the Elector of Brandenburg, the Elector of Hanover, &c. assumes the lead in title of Bishop of Cologne, of a late King of Poland, of King of Prussia, and even of King of England. I speak this to shew my brother Electors of what high consequence we are: for I question, whether an Elector of the British Senate is not a title of equal dignity and importance with an Elector of an Emperor of Germany. Nay, whether it is not just so much superior, as the great Senate of this nation is superior in power, and extent of empire, and authority, to the German Emperor himself. Mr. Addison's opinion of a Senate was so high, that he makes his CATO tell us,

*A Senator of Rome, whilst Rome surviv'd,
Would not have match'd his Daughter with a King.*

I therefore hope my brother Electors will consider how high and valuable are our rights, and how great the power and authority which we intrust.

That the constitution of this country is at present much out of order, is the complaint of almost all free speakers, and the tacit belief of those who are most reserved. I doubt not but its original *Stamina* are yet so strong, that it may recover its proper state of health. Till that can be effected, numberless cures will doubtless be officiously offered; though I have not yet heard of one, which has come with that dignity of character to be depended on. The late great number of political news-papers, taking on them that office of doctorship, I have looked upon, mostly, as rude, pedantic performances, in their manner of censuring the past proceedings of the state, rather than as giving good advice. Many scrolls have been written, which shew no other mark of the physician, than that of being unintelligible. Some of them, indeed, profess a decent tendency of thought, to promote a reformation; but in such high disorders,

disorders, as those of the state really are, they seem to deal too much in simples; whilst some others are rather too inflammatory. In general, they are liable to the same remark, which was made on a certain witty Earl (now the Methusalem of our nobility) when taken into the administration of affairs, "that he had more wit to help him to find out errors, than sense to mend them."—His stay among the great Directors of state may be judged to have been but short.

It must be acknowledged, that the first great point in practice is, to find out the disorder. So far these writers have a claim to merit. For the maladies of the state, like those of the body, may be traced in their channels up to a first cause, or simple spring. Could that be corrected, many amendments would naturally follow. But as nothing is created perfect, or can be made so, we must compound for a thorough reformation with such slight amendments as can be obtained. The discovery of the disorder thus being effected, we shall speedily set ourselves to apply the remedy; the other material point of practice, which no other state-prescriber has yet attempted. I come to bring a cure where the Regulars have denounced a death; for I shall not, like Radcliffe, keep back even from court, till sent for too late*. The assumed office I know is a dangerous one; but my forwardness is the modest endeavours of a man, willing to serve his country. However, it is time I drop the allusion, or do not carry it on much farther, lest I be suspected of being some diploma'd Doctor, who, failing in his physical practice, has degree'd himself into a state-physician.

I set out with no other compliment to myself, than that of a resolution to speak honest sentiments, unbiassed by partiality. Those sentiments are founded on a close-piled knowledge of men and of things. Of these I shall speak, avoiding obloquy and wrangling, as far as other people's good-manners will let me pass unprovoked. For I do not mean, like the pedant, who came out with a rod in his hand to his drowning scholars, to preach over the sinking state; but shall call out to every by-stander, to plunge in with me to her assistance, either to bring her safe to shore, or all go to the bottom together.

All communities and all nations have been thrown into their forms of government, at times of some convulsions or fevers in the state; so that few modes of regular rule could be immediately established. Uniformity of design and proportion can only appear, where their structures have been previously planned according to the rules of order. What one government or one age founded, another perhaps threw down, a third rebuilt on another plan, and a fourth added a superstructure, not so much regarding uniformity, as perhaps the humour of the times. So that there is scarce a state or government in the world erected on a plan consistent in all its parts.

The government of this country has been several times amended and reformed, but generally, like most others, at periods of convulsions and fevers in her constitution. It is true, she has enjoyed better health afterwards; but the remedy applied at such times has always shaken her violently, so as to endanger her total dissolution. For the contending parties, who fight like good and evil Genii, "who shall prevail," never cease the strife, till one of them is overcome, and consequently the state becomes weakened, and for a time impaired in her original strength.

To enumerate the many civil strifes for liberty or despotic rule in this country, would be to recount a series of facts from our first knowledge of her history to the present hour. I will only remark, that every struggle has been fought in blood, yet the work always left unfinished. The beaten party has generally been permitted to yield upon terms. And though enthusiasm, which works miracles towards reformation, has even headed the strife; and though too obstinate to suffer the sword of persecution to be wrested from her hand, yet has she not always been able to stand against the force of ridicule, and more than once has been laughed out of her purposes. Thus has the work of improvement been always a piece of botchery, never made complete, or brought to any degree of perfection.

The

* It is said, that when Queen Ann sent for Dr. Radcliffe, the Duke of Gloucester being given over by the Physicians belonging to the court, the moment the Doctor saw the Duke he hastily pronounced the hour of his death, and said, — "Why was I not sent for before?"—The Queen asked him as quick a question, with a slap on his great periwig,—"Why did you not come?"—

The proper hour for state improvement, according to reason, should be in times of public tranquillity and good humour; when a set of wise counsellors, or able ministers, might deliberately begin and happily perfect a work of that wisdom and consequence. But experience is against the suggestion; for it is observed, that in the longest reigns of public tranquillity and peace, the greatest encroachments have been made on the rights of the people and the liberty of the subject. The door of reformation, by being kept a long time shut, contracts a rust, which clogs its hinges, and prevents their being easily moved; and of consequence, at the least opposition against it, it makes such a noise and discord, as if the whole fabric was cracking from its foundations. There is some account to be given for this:—In the state, as in the church, they who are in office and in power, as they who are in easy endowments, desire to pass for their time through government, as the others through their fees, in the quiet enjoyment of their wealth and honours; and consider every alteration or amendment, as an innovation or infringement on their particular rights and property: for things, as to them, cannot be in a better situation than the present. Then it is, if any the least effort is made towards a change for the better, they set up an alarm, and play off the prerogative against it; artfully representing every such advance as an attack on the dignity of the crown. Thus they immediately persuade their King to clap on his armour, that is to steel his heart against every conviction of his people's good; therefore the aggrieved party have always cried aloud for reformation, and if their voices could not be heard, have come to blows for it.

Iustum est bellum quibus necessarium.

War is just to whom it is necessary.

LIVY.

And again, *ibidem*,

Arma pia, quibus nulla nisi in armis relinquitur spes.

The taking up arms is a pious duty, where no other hope is left but in arms.

However, as we have before said, the work has never been perfectly completed by opposition. Partial reformations only have been made, as they could be obtained under the circumstances of the times.

In the present situation of things, two questions start:—The first, “*Is there a necessity for a state-reformation?*” If there be, the second question asks, “*How is such a reformation to be effected? By opposition, as of old?—God forbid!—or by the prudent, candid, and disinterested means of persons in office?*” As for the first question, it depends on what the present circumstances of things are.—If there be an universal complaint of grievances throughout the whole body of the people, (as such there is to an alarming degree) there can be no doubt of the propriety of proposing a cure, or in other words, attempting a reformation. What those grievances are, and how just the complaint, shall be the subject of our further examination, and of our art of healing, in future papers.—As to the second question, “*How such a reformation is to be effected?*” I very clearly answer, by the all-ruling arm of Providence, which, I think, I perceive already stretched forth in our defence. In many former, and like alarming instances, we have been the care of heaven.

In times of public calamity and distress, we frequently see affairs amidst confusion and perplexity take a change or settlement of themselves, which no human prudence could foresee or direct, like the breaking and rolling off of the clouds amidst a tempest, producing, on a sudden, serenity and sunshine. These are the visible works of a Providence, and such I trust is the late turn of affairs, which has happened in this kingdom from the number of the different bodies of its Electors (as if moved at the same instant by one uniform, divine impulse) exerting their right of giving instructions to their representatives in parliament, therein conveying each a consistent and well-adapted set of injunctions, all similar in their conceptions of the state's disorders, and all expressive of complaint, and of a desire of reformation and redress; which, being general, (as we hope will be the case) will collect the whole sense of the people, and reveal all the grievances felt in every part; which being pursued by their representatives, and followed up to a full execution of them, (as it is not to be doubted will be the case) will effect all the good purposes required, and bring about and secure the grand reformation, the *Maxima Charta* of these kingdoms: on whose solid foundation the grand
superstructure

superstructure of liberty and royal authority, of law and property, of trade and commerce, of national strength and glory, may rise in all the beauty and harmony of order. Such a reformation would crown the great history of the many grand resolves and achievements, which this state has planned and acted in the council, and upon the seas, and in the field, within the reigns of this royal family. It would be like the revolutions in those states and empires, which wise ministers have brought about to the admiration of the world, without spilling a drop of blood. And no period of time could be so happily adapted to so good a purpose as the present, when such a number of able politicians and wise statesmen are ready to advise and act, and sound lawyers and other ministers to perfect the great work; when the concurring assent of our gracious monarch would facilitate and forward the undertaking: as the work ought certainly to be done, when a Prince presides of those great virtues, which dignify the King, and dispose the royal heart to acts of universal benevolence to his people. The greater a Prince makes his people, the greater is his own honour. Such a Prince will labour in the cause; the cause will reflect its own glory round him: it will never set, but shine in history to all future ages, a tutelar star, shedding its influence upon his latest posterity.

I own myself enraptured with the thought, nor will I suppose a contrary issue of things, nor look into any imagined scene of civil opposition, of citizen against citizen, peer against peer, brother against brother, father against son, arms against arms, red-coats against red-coats, and black against black;—I will think no more, but continue to believe, that by the strong phalanx of this power of instructions, the great business will be done, will be perfected to the happiness of the people, the honour of government, and the strength and glory of the whole kingdom: I will say too, to the wonder and terror of the world.

This is the great crisis of the present fever of the state, which I have watched, and shall endeavour to take advantage of. I shall still attend, still watch every change; but chiefly here pursue nature, where she leads to so happy a course. And therefore I strongly recommend to all the Electors of this kingdom in general to pursue the road, now open for redress, in preparing and delivering their several charges to their different representatives. That it is a right road, and they in the true path, is without a doubt. Their representatives take a charge from them of one third part of the legislature of this kingdom. This right is then in ourselves. It can be delegated, but never parted with. The right of instruction takes birth with the delegation, whenever found necessary at the will of the delegator, like that of a Prince to his Ambassador. As the representative is erected and raised to do the will, and act for the benefit of his constituent, he has a double office. As to the first part of his duty, *To do the will of his constituent*, he is doubtless obliged to take and receive the instructions given him by his employer, for whose use he has been chosen and constituted. As to the second part, *To act for the benefit of his constituent*, how far he may deviate from, or go beyond the directions of his principal, as circumstances vary, is a matter which I shall defer to speak of till my next letter, having taken up this subject so near the close of the present. But as it is our allowed right to give instructions to our representatives, be it our resolution, at this present critical juncture, to exert our right this respect; be it theirs to do their duty in following these instructions.

In the mean time, I would have my brother Freeholders armed with such a sense of their own significance, as to be in no danger of being argued out of it. People, when they know their own consequence, act with a consequential greatness. We have frequent examples in story of youths, unknowing of their births, who when told of their princely origin, have immediately exerted the princely virtues. 'Tis thus, my dear countrymen, I would have you think of yourselves; know your own greatness. There is no state of men greater upon earth than our own. Our country is an empire, which has not its equal in the world, either in extent of territory, in arts, or in arms; in trade, wealth, and, above all, in liberty. We are that country; we are that empire. *Civitas est populus; the people are the city.* We are country, laws, and government itself. What is the country without its people? A barren earth. What are the laws without the people? Books for worms. What is the government without us? A crown of gold and jewels, long gowns, maces, and large periwigs. The strength therefore

therefore is ours. *Imperii vis omnis in consensu obedientium est; the strength of all government is in the consent of those who obey.* All that our representatives can assume is, that they carry our full power, and are therefore equal to ourselves, being by the end and design of their institution ourselves in fact. We grant them that power; and let them use it well. But then they are not greater than ourselves. Let us do our parts, that they may do theirs. Run on, like the wedge in the old art of war, where the first man having cut his way, two followed, then three, at last the whole phalanx broke in, and separated the enemy; that is, pursue this mode of instruction. It will in the end have its effect. It penetrates farther than at first sight is observed or imagined. Great works are oftener brought about by wisdom than by strength. As the greatest machines are worked by a small force, or weights properly placed: so this rusted door of reformation, instead of being beat open by force and violence, or sprung off its hinges by strength, or instruments of power, may, by the proper application of softening oils, be caused to turn without the least noise or discord. In order thereto, first tell your evils to those whose office it is to procure redress. I shall, as one of the many, do my part in pointing out some matters proper for your notice, which have come within my own observation, and shall occasionally comment upon such parts of your instructions, as shall appear to need any discussion, to enforce their suit or purpose.

I am, SIR, Your humble servant,
THE ELECTOR.

To the NORTH BRITON.

SIR,

Happening lately to look into the speech of CAIUS MEMMIUS, the *Tribune*, to the *people of Rome*, as it is related by SALLUST, I was so struck with the justness and solidity of the reflections, and thought many of them so applicable to our present condition, that I could not resist the temptation I felt to put them into an English dress, and transmit them to you, as I herewith do, begging you would give them a place, as soon as possible, in your very useful and patriotic paper, I am, Sir, your's, &c. R. S.

The SPEECH of CAIUS MEMMIUS, Tribune, to the People of Rome.

Translated from SALLUST.

Indignatio & Dolor omnibus, vis ad Resistendum nulli aderat. VELL. PATERC.

ROMANS,

THE present circumstances of our affairs, the power of the prevailing *faction*, your tame submission, the loss of all justice, and the danger of speaking truth, are such discouragements, that I should be silent, as well as others, at this time, if my concern for my country did not outweigh all other considerations. 'Tis hardly worth while, *Fellow-citizens*, to put you in mind of the indignities you have received of late, and the ill treatment the bravest assertors of your privileges have met with, from some of the nobility; when we are now reduced so low, that a few great and ill men govern us, whose right it is, and whose chief business it should be, to watch and keep such miscreants in awe. However, for my part, I have resolved to make war upon this powerful and pernicious *cabal*, and will use that liberty, which, as a *Freeman of Rome*, I am legally entitled to; but it is in your power only to make my good endeavours effectually serviceable to you. I would not be understood to excite you to any kind of violence: No. Let us fight them with their own weapons. The same engines which they have always made use of to raise themselves, will, I doubt not, if rightly employed, even yet be sufficient

cient to pull them down. Not long since we thought we had reason to complain of the squandering the public money, and of the exorbitant riches and excessive power of some particular persons; but now those very persons are so far from being contented to go off with impunity, that they have again worked themselves into power. They have their pontificates, their governments of provinces, and their triumphal processions; they strut, they domineer, and treat us with such scorn and insolence, as if they thought it not robbery, but an honour, to have plundered the commonwealth. Our slaves, *my countrymen*, our purchased slaves have spirit enough to disobey the unjust commands of their masters; shall we then, who were born free, stand still and patiently suffer the yoke to be put about our necks? But pray let us consider a little what sort of men these are, who have thus seized upon the government. Why, they are men of evil principles, and worse practices; deceitful, proud, rapacious, violent, and unforgiving; determined, by every method, to promote their own interest, and sacrifice to that all regards for religion and for honour. And this society, shall I say, or rather this *cabal*, are firmly and strongly united by that wicked tie of having all been involved in the same, or in like crimes! However, if we had been as careful to preserve our liberties as they have been industrious to wrest them from us, the constitution had not been so shocked and unsettled as it is now; nor would so many great posts of the commonwealth have been in the hands of the most worthless and impudent, instead of the most deserving. Our ancestors ventured their lives and their fortunes to preserve their privileges, and to keep up a proper balance in the government; and shall we not stir one step, not dare to run the least risque, to deliver down those privileges to our posterity, which we have received from those ancestors? Surely, we ought the more resolutely to contend for them, as it is more dishonourable to lose, than never to have had them. But, perhaps it may be asked, What is it proper for us to do in this situation? Shall we instruct? Shall we impeach? I will not take upon me to prescribe to you a particular method of proceeding, but I will be bold to say, that some stand ought immediately to be made, some stop, if possible, to be put to the growing tyranny of this cabal; that the commons of Rome may never bear this reproach, that they, who used to oppose and condemn the least irregular step or encroachment, even in their *Kings*, now lie down, easy and satisfied, under the heaviest and most arbitrary oppression of a few of their own *fellow subjects*! If we have not spirit enough to rouse ourselves upon this important occasion, our condition is wretched indeed, and almost desperate; for whilst our most sacred privileges are openly and daringly invaded; whilst no man is allowed a place in the *Senate-house*, that is not thought, by these ministers, more likely to give up his own rights, than to defend the rights of the people; whilst hardly any one can be secure from punishment, but those who deserve it; whilst we give such immense sums, without appropriation, and let them be distributed without account; whilst we have not courage so much as to own our fears; in a word, whilst we are daily robbed of our property, our liberty, and even of our lives; in such a very dark and dismal situation of affairs a man may venture to prophesy, that unless the gods are pleased to work a miracle in our favour, as they have often formerly done, the time is not far off, when this antient and noble frame of government will be totally destroyed; and we, who have so frequently preserved the freedom of other nations, shall be no longer *freemen* ourselves.

LONDON: Printed for WILLIAM BINGLEY, a prisoner in the King's Bench, and sold at his Shop opposite Durham Yard in the Strand. Where may be had, The whole of this Continuation, from No. 46, stitched in blue Paper. At the above Places Subscriptions are received for printing a Folio Edition of the ORIGINAL NORTH BRITON, from No. I. to No. XLVI. with several useful and explanatory Notes, not printed in any former Edition. To which will be added, by way of Appendix, The Public and Private Correspondence between John Wilkes, Esq; and the Duke of Grafton; the Earls Temple, Talbot, Halifax, and Egremont; his genuine Letter to the Electors of Aylesbury, some Parts of which were never before published in England; with a faithful Collection of all his other interesting Tracts and Papers, from the Year 1762 to the present Time; comprehending a complete View of all the infernal Proceedings of Administration against that Gentleman; with a copious Index to every Name and Article. Corrected and revised by a Friend to Civil and Religious Liberty.---The Price to Subscribers will be Ten Shillings and Six-pence; the Money to be paid at the Time of subscribing, to whom the Work will be delivered, (whether in Town or Country) without any further Expence whatever.---N. B. The Design of this Undertaking is to accommodate the Public with an Edition in Folio of the above valuable Work; particularly those of his Friends who have constantly subscribed to this weekly Continuation, to bind up with the same.

In a few Days will be published, No. VIII. of THE CONSTITUTIONAL MAGAZINE, the former Numbers of which may be had as above.

T H E
N O R T H B R I T O N .

NUMBER XCIX. (OR LIII. OF THE CONTINUATION.)

To be continued every SATURDAY. Price Two-pence Halfpenny.

S A T U R D A Y A P R I L 8, 1769.

There is nothing new under the sun.

Ecclesiastes i. 9.

To the N O R T H B R I T O N .

AN D so, Sir, what you have often foretold is at last come to pass. We are now fairly fallen back into the very dregs of the *Stuart-reigns*. The party of ABHORRERS is once more revived; of those ABHORRERS, who, in the reign of King Charles the Second, expressed their detestation of all the patriotic and public-spirited, as I would say, but, as they were pleased to call them, the factious and insolent petitions that were presented to the King for assembling a parliament, and for securing the other rights and liberties of the people.

That such wretches should have existed at a time, when the Sovereign claimed, and many of his subjects were willing to allow him, a divine, indefeasible, hereditary right to play the tyrant, and to destroy the constitution, is nothing strange; but that any such should be found in the reign of a Prince, whose family was advanced to the throne in direct contradiction to this absurd principle, would be really surprizing, did we not know that human nature is always the same, and that though the seeds of slavery may be smothered for a time, yet whenever they meet with the vivifying influence of court sun-shine, they immediately begin to quicken, and to spring up with vigour. And never sure did these seeds meet with a more fertile soil, or a more benign sky, than under the present arbitrary and despotic administration, when every man is sure to be rewarded in exact proportion to the servility of his character.

In this respect indeed the present ministers have greatly the advantage of all that have gone before them; for I do not remember a single compliment paid to the ABHORRERS in the reign of King Charles the Second, except the honour of Knighthood conferred upon Francis Withens, Esq; who procured and presented the address from the city of Westminster. But how much more grateful and generous have been our present ministers! They have made the late chief City Magistrate a Privy Counsellor, and have given him a contract with government for cloathing soldiers, worth 4000 *l. per annum*. They have pardoned the murderers M'Laughlan, Balfe, and M'Quirk, and have even granted them pensions. This, say the ministry, is only supporting their friends; but if murderers be their friends, I believe few people will envy them the credit of such a connection.

These friends, however, were procured at a much dearer rate than the friends obtained by the ministry of King Charles the Second; and, indeed, the present ministry have it in their power so to procure them. The influence of the crown, by means of its immense revenue, is now much greater than ever it was in any former period. For every place which the Stuarts could bestow,
the

the crown can now, at a moderate computation, bestow five or six places: at least, places of five or six times the value. And the consequence is such as might naturally be expected. The ministry can not only procure addresses with infinitely greater ease, but can make these addresses run in a strain of greater complaisance and flattery.

Some of the addresses in the reign of the Stuarts breathed a very free and independent spirit. That of the Quakers, upon the accession of King James the Second, may serve as an instance. It was conceived in the following terms: "We come," said they, "to testify our sorrow for the death of our good friend Charles, and our joy for thy being made our Governor. We are told thou art not of the persuasion of the church of England, no more than we; wherefore we hope thou wilt grant us the same liberty which thou allowest thyself. Which doing, we wish thee all manner of happiness." Here we see the Quakers, with their usual plainness and simplicity, very roundly tell his Majesty, that he was not a member of the church of England; a circumstance, which was then thought by many, and hath since been declared by law, to be sufficient to disqualify him for wearing the crown of these kingdoms.

But how much more courtly and polite is the language of our present Addressers! They not only pay the highest compliments to the King, which he certainly deserves; they even offer the most nauseous and fulsome flattery to his ministers and servants, and express their entire approbation of every part of their conduct. They must therefore approve of the robbery committed upon the Duke of Portland, of the massacre in St. George's Fields, of the riot and murders at Brentford, of withdrawing M^r Laughlan from the cognizance of the laws, and of pardoning Balfe and M^r Quirk, after they had been fairly tried and condemned by their country.

But, not satisfied with declaring their approbation of the conduct of the ministry, they express their utter ABHORRENCE and detestation of the conduct of those who have had the presumption to oppose them. They must therefore ABHOR the conduct of the Freeholders of Middlesex, who chose Mr. Wilkes and Mr. Serjeant Glynn their Representatives in Parliament, in spite of all the violent, outrageous and illegal attempts, which the ministry made to prevent them. They must ABHOR the conduct of the 139 independent Members, who voted against the expulsion of Mr. Wilkes from an august assembly, of which they form the most respectable, and perhaps even the most wealthy, though not the most numerous part. They must ABHOR the conduct of the Citizens of London, of the Citizens of Westminster, of the Freeholders of Middlesex, and of all the other Counties and Corporations, who, in their instructions to their Representatives, have disapproved of those very measures which the Addressers approve. In a word, they must ABHOR the conduct, at least the sentiments, of ninety-nine parts in a hundred of the people of England, who, if taken separately, and fairly interrogated, would be found to entertain opinions very different from those of the Addressers.

What then shall we think of a set of ministers, who have the impudence, shall I say, or rather the treachery, to impose upon their Sovereign, and make him take the sense of one hundredth part of his subjects for the sense of the whole? But this has always been the wretched artifice of every weak or wicked administration, who, rather than forego the possession of their places, would endanger the peace, and even the safety, of their Royal Master. Like the criminals among the Jews, who, by way of protection, laid hold of the horns of the altar, these state-criminals, for the very same purpose, lay hold of the feet of the throne, and exclaim that their cause and that of the Prince are so intimately connected, that both must stand or fall together. But the people of England would never assent to this dangerous and unconstitutional doctrine, conscious, as they are, that, should it once be admitted, it might be employed to screen the most guilty ministers, and perhaps to destroy the liberties of the nation. They have always taken care to make the necessary distinction between the person of the Prince and that of the minister; nor did ever any Prince in this kingdom suffer for crimes of his minister, unless he was so ill advised, or so infatuated, as to charge himself voluntarily with the guilt of his crimes.

But

But that our present ministers would willingly throw their crimes upon their master, is abundantly evident from the whole of their conduct. For, to what other motive can we reasonably attribute the eternal repetition, that occurs in all the addresses, of professions of loyalty to his Majesty's person, especially at a time, when no man of sense suspects the loyalty of any party in the kingdom; and least of all of that party (if indeed so great a majority of the nation can be called a party) that is now engaged in opposition to the ministry? The party engaged in this opposition are, and ever have been, the only true and steady friends to the Protestant succession, and the Brunswick family. 'Twas by their interest, chiefly, that that family was first placed upon the throne; 'tis by their interest, chiefly, that they have hitherto been supported in it; and by their interest, I hope, they will continue to enjoy it till time shall be no more.

To what cause then can we possibly ascribe it, that this party, so numerous, so loyal, and so meritorious, has, almost constantly for these eight years and upwards, been in a state of proscription? Is it, that some persons, attached to the abdicated family of Stuart, have formed a design to disgust them with the present establishment, and thus dispose them for another revolution? The design is artful, but it is absolutely impracticable. The Whigs (for it is of that party I speak) well know that the preservation of their liberties, and the support of the present establishment, are one and the same; and as they can never be induced to part with the former, they will never be persuaded to overturn the latter. Is it, that others have secretly laid a plan for erecting an arbitrary and despotic government? The scheme is weak, and will certainly miscarry, and can never be productive of any other effect than the ruin of those who shall presume to undertake it. Or is it, what perhaps is still more probable, that a third set have put on a determined resolution to extirpate from the kingdom all distinction of party? This project is as absurd, and however strange the assertion may seem, is as wicked as either of the former. The spirit of party is inseparable from liberty; they follow one another as a shadow does a body; and if ever it should happen that the one is destroyed, the other will expire in the very same instant.

There is another expression, that runs through these addresses, which is worthy of notice. The Addressers say, that they are ready to sacrifice, in support of the Ministry, their lives and their properties: they ought to have added, their liberties likewise. But, perhaps, they may think, that they have sacrificed these already; as no-body of men, who had the least regard for liberty, could have approved, so fully as they have done, of the arbitrary measures of our present Ministers. And thus having sold their liberties, they may be apt to imagine, that it will be no act of extraordinary generosity, if they throw their lives and their properties into the bargain; sensible, it is to be presumed, that when a man has lost his liberty, his life, and his property, are of very little value, as he can only enjoy them at the mercy of his master. What rewards may be bestowed upon these ABHORRERS, I pretend not to conjecture. I only know, that in the reign of King Charles the Second, whatever rewards their *worthy* predecessors might receive from the crown, they met with very scurvy treatment from the parliament; for that august assembly was no sooner convened, than they expelled every ABHORRER with the utmost contempt and indignation. Whether the present ABHORRERS will be branded with the same mark of infamy, time only can discover.

How these addresses have been procured, is a matter, if possible, still more difficult to determine. In the reign of King Charles the Second the method was this: an address was drawn up by the minister in the highest strain of flattery and panegyric; this was given to the representative, with a promise, that if he could obtain the concurrence and subscription of his constituents, he might depend upon any favour or indulgence in the power of the crown to bestow. The representative transmitted it to his constituents with promises as magnificent, and, no doubt, as sincere; and these, charmed with the honour of addressing their Sovereign, or tempted with the prospect of a place for their sons or their nephews, set their names to the paper, without so much as knowing the contents. And thus was the deluded Prince drawn into an opinion, that the conduct of his ministers was approved by the body of his people, while in effect it had only the approbation of the ministers themselves.

Among

Among the merchants of London particularly this expedient was frequently employed, with great industry and success; and so eager were the ministers to procure a long list of subscribers, that it is credibly reported some of the Addresses of the then city merchants were signed by cobblers, porters, chairmen, livery-servants, and the very meanest of the rabble: for as the number of hands was the chief point in view, they cared but little of what rank or condition they were. Nay, it is affirmed, that several names were written by the same hand, and some others in disguised or counterfeited characters. How far this description will apply to the late address of the city merchants, (as mis-call themselves) will be evident to any one who hath seen a list of their names. But however active the Ministry have been in procuring addresses, I cannot but blame them for the injudicious manner, in which they began to solicit the favour. The first address, if I rightly remember, was from the Freeholders of Essex; and could the Ministry be so very ignorant of the proud and obstinate nature of *John Bull*, as to imagine, that he would patiently bear to be led by his own *Calves*? This, indeed, I always considered as a bad omen; and the succeeding events have confirmed me in my opinion. The addresses have come in with a very slow and tardy pace; they now begin to grow still less frequent; and the mortifying rebuff, which the Ministry have met with from the Citizens of London, will soon, it is hoped, put an entire stop to them. For the people in the more distant parts of the kingdom, perceiving how odious the present Ministers are to the inhabitants of the metropolis, who having the best opportunities to observe, may be supposed to be the best qualified to judge of their conduct, will no longer continue to give the sanction of their name towards the support of a set of men, who, the more their principles and practices are known, will be the more cordially hated by every friend to his country.

The rebuff, indeed, which the ministry have received from the citizens of London, is no other than they had reason to expect. The very attempt to procure an address from them was equally weak and impudent. The citizens had but just instructed their Representatives to obtain a redress of the numerous grievances, of which the nation universally complains; and to think that the same men should immediately alter their sentiments, and approve of measures, which, but a few days before, they had so strongly condemned, is such an instance of folly or presumption, as none could have been guilty of but our present *worthy* rulers. But perhaps the ministry (as is but too common with some men) may be apt to judge of others by themselves. They are daily accustomed to change their principles, as the variable gale of court favour shifts; and they probably imagined the citizens of London were of the same pliable temper. In this, however, they have been miserably disappointed. The citizens have shewn them, to their utter confusion, that though consistency of conduct may be banished from the higher ranks of life, it is still to be found among the lower: and that their minds, in particular, are of too stubborn a nature to be moulded into any form which the court might wish to give them.

I cannot conclude this paper without paying my respects, and those of every lover of his country, to Sir *William Meredith* and *Richard Pennant* Esq; the worthy representatives of the town of Liverpool, who nobly disdained to prostitute their character, by presenting an address, alike remarkable for inelegance of stile and servility of sentiment. In a word, I consider this farce of addressing as the last convulsive pang of an expiring faction, which has long embezzled the property, and trampled upon the liberties of the people of this island, and whose funeral I hope soon to see celebrated with bonfires and rejoicings over the whole kingdom.

L.

To

To H. L. LUTTRELL.

*By such base Means in vain ye seek to rise,
Borne on Ambition's Wings attempt the Skies,
With aggravated Crimes support your Claim
To the free Gift of honourable Fame.*

AMBITION, an Epistle to PAOLI.

YOU, Col. Luttrell, and your Brethren of the Sword think, no Doubt, Ye may insult with Impunity Individuals who are not of the Cloth. As a Proof of the Truth of this Assertion stand in every Man's Memory certain notable Acts of Chivalry on *unarmed inoffensive People*. But, remember, Sir, as a Check on your Arrogance and Presumption, that *County* is a very COMPREHENSIVE Word! and—*Middlesex*! sufficient of itself, I should have thought, to intimidate a whole Herd of MINISTERIAL HIRELINGS.

How dared You then, Sir, publicly to insult *the whole County of Middlesex* in your Address of To-day? A PLACEMAN, a SOLDIER, and a COURT-SYCOPHANT, to have the Effrontery to propose Himself to Represent the COUNTY OF MIDDLESEX in Parliament! Know, Sir, in that same County, *Public Virtue* has taken up her Residence; every Freeholder's Heart glows with the generous Ardor of *Patriotism*; and, nor Art, nor Force shall ever oblige the ELECTORS OF MIDDLESEX to betray *the Privileges they have three Times virtually sworn to defend with their Lives*. The Designs of wicked STATESMEN they will render abortive; even that, in which, Luttrell, thou art *Agent*. The Attempt to destroy the FREEDOM OF ELECTION will certainly miscarry; and its Miscarriage will prove an Omen of the Fall of its Projectors.

CURTIUS.

March 25, 1769.

To the Gentlemen, Clergy, and Freeholders of the
County of MIDDLESEX.

GENTLEMEN,

SINCE an opposition to me has been declared by a ministerial gentleman, whose seat in Parliament is purposely vacated by the acceptance of an insignificant place, without even the pretence of *being solicited by some respectable Freeholders*, I find that the old artifice of starting another candidate is renewed with the hope of dividing you, and of drawing your attention from the real object of this struggle, which is between the electors of Great-Britain, and the assumed power of Administration. Several gentlemen, warm friends to the freedom of the subject, have been strongly solicited by the emissaries of this Ministry to accept a seat in Parliament by your means. They have not however been the dupes of this plan of deceit. They have spurned at the treacherous proposal. I rejoice that a perfect union of sentiment on this subject prevails in almost every part of the County. The question now is well understood to be, not who shall represent the County, but whether you the electors have the right of naming your own Representative to Parliament. I am sure you will never give up that right, nor quit the public ground on which you stand. It is of the highest importance to every elector in the kingdom that
after

after the late attempt to rob you of this right, it should be acknowledged and established. You have repeatedly and unanimously denied that any one part of the legislature could deprive you of your choice, and this in a manner the most obliging and honourable to me. If then another candidate could at this time by any means be brought into Parliament for the County, the Ministry would succeed in their attack, and you would appear to acquiesce in an illegal claim. You may now have the glory of bringing this national cause to a decision, of establishing the just claims of Englishmen on so solid a foundation as never again to be shaken, of preventing the sacrifice of this essential right, and the making a fatal precedent against yourselves and your posterity.

GENTLEMEN,

The attention of the public is fixed on you, and the importance of the cause has spread a general anxiety for the event of next Thursday. I congratulate the people that the Freeholders of Middlesex are called to stand forth, for I know your vigilance and undaunted spirit in the defence of our common liberty. May such efforts be crowned with the success they merit, and may we be the happy instruments of perpetuating the blessings of a free Constitution to the latest inhabitants of the whole British empire!

I am, GENTLEMEN,

With true respect,

Your faithful, and obliged humble Servant,

King's Bench Prison,
Friday, April 7, 1769.

JOHN WILKES.

LONDON: Printed for WILLIAM BINGLEY, a prisoner in the King's Bench, and sold at his Shop opposite Durham Yard in the Strand. Where may be had, The whole of this Continuation. from No. 46, stitched in blue Paper. At the above Places Subscriptions are received for printing a Folio Edition of the ORIGINAL NORTH BRITON, from No. 1. to No. XLVI. with several useful and explanatory Notes, not printed in any former Edition. To which will be added, by way of Appendix, The Public and Private Correspondence between John Wilkes, Esq; and the Duke of Grafton; the Earls Temple, Talbot, Halifax, and Egremont; his genuine Letter to the Electors of Aylesbury, some Parts of which were never before published in England; with a faithful Collection of all his other interesting Tracts and Papers, from the Year 1762 to the present Time; comprehending a complete View of all the infernal Proceedings of Administration against that Gentleman; with a copious Index to every Name and Article. Corrected and revised by a Friend to Civil and Religious Liberty.---The Price to Subscribers will be Ten Shillings and Six-pence; the Money to be paid at the Time of subscribing, to whom the Work will be delivered, (whether in Town or Country) without any further Expence whatever.---N. B. The Design of this Undertaking is to accommodate the Public with an Edition in Folio of the above valuable Work; particularly those of his Friends who have constantly subscribed to this weekly Continuation, to bind up with the same.

On MONDAY Evening next will be published,

Inscribed to the FREEHOLDERS of the County of Middlesex,

A NORTH BRITON EXTRAORDINARY,

A Quantity of which will be sent to Mr. NORBURY, Bookseller at Brentford,
to supply more conveniently that Part of the County.

A

NORTH BRITON

EXTRAORDINARY.

NUMBER C. (OR LIV. OF THE CONTINUATION.)

To be continued every SATURDAY. Price Two-pence Halfpenny.

MONDAY, APRIL 10, 1769.

Ubi pars virium, ibi et imperii pars est.

TIT. LIV.

THE ELECTOR.

LETTER II.

IN my former letter I laid down the right, which every Constituent has, of his own free will, to give Instructions to his Delegate, on the business for which such Delegate has been appointed. In this, I shall shew the nature of the trust reposed in a Delegate, or Representative of the people in the British Parliament; a trust, the highest and most important that can be bestowed, comprehending a wide and extensive field of duty, and requiring the Representative to do every thing in his power for the benefit of his Constituents. For the general duty, like a stronger light, may so far absorb the less, or particular one, as to intitle the Representative to act a part directly opposite to the first orders of his principals, where circumstances, not at first known to the Constituents, discover such an alteration in the state of things, as to shew that such contravention of their will must be for their advantage. Hence we may venture to establish it as a maxim, that we have a right, as Electors, to give Instructions to our Representatives, in every point wherein we find our interests are concerned; but that our Representatives, in the after discussion of those points, amidst the great diversity of opinions in Parliament, may deviate from the tenor of those Instructions, for the greater good of the nation in general.

We shall in our sober senses never quarrel with our representatives for serving us even against our wills; but the alarming consideration is, that if they do not make the general good, but some partial interest or self regard, the motive of their conduct, they, unlike to all other Delegates or Representatives, are not, I fear, accountable to us, nor subject

subject to any formal or legal enquiry; no not even should they be so wicked as to sell our rights and liberties to a Prince or Ministry aspiring at despotism. If such should be the case, let me stop a moment, in the prosecution of my argument, to sigh out, at this juncture of the fourth election of the same Representative of Middlesex, this one remark to my brother Electors in general: "How much more
 "circumspect ought we then to be in the choice of these our Re-
 "presentatives! And to how low a degree of meanness do those
 "particular Electors descend, who sell their votes in drunkenness
 "and revelry!" Esau pleaded hunger, perhaps the absolute necessity of preserving life, for the hasty sale of his inheritance for a mess of pottage. Our parliamentary Esaus have no such plea, but the reverse of the argument against them, that of meeting with instant death, if they sell our birth-rights. The purchased pottage there had wholesomeness and health in it; the offered mess here has poison and political death. Nothing but the influence of the basest principles, or a total ignorance of the nature of man, and of their own true interests, could degrade them into such mean and despicable wretches. I will give them the noble sentiment of a man of eminence and fortune, now alive*, great only in his own private virtue, who thus expressed himself upon this subject: Being asked, "Why,
 "in his opposition to a wicked Ministry, he did not procure a seat
 "in Parliament?" He replied, "No man is more willing to serve
 "his King and country than myself, but *I will never assist in debauch-
 "ing the people, whom I would wish to reform.*" Blush now, my countrymen, if you can blush; and if you can, it is a sign of virtue in you, and you may yet reform. I should now come to examine the question, What is to be our redress, in case such a sale of our rights and liberties should be the consequence of the treachery of our parliamentary Representatives. But first, to establish our right of insisting upon a redress of our grievances, by virtue of our own strength, according to the motto of my paper; as also to confirm the courage of those our Middlesex brethren; I will here lay open the rank and weight which we, as Electors, possess in this Constitution, and also the rank and power which our Representatives receive from us, and the authority they can from thence exert in their parliamentary capacity, as formed into a body, or House of Commons: a power and authority which heretofore have been too confused, or seemingly on purpose left unexplained; but to an intelligent mind, on a fair research, the confusion vanishes, and the subject appears distinct and clear.

The constitution consists of three classes, the *King*, the Judges† or *Peers* of the realm, and ourselves the *Commons*. The King has a natural

* T. H. of P—ll M—ll, Esq.

† We speak not of the Judges of Westminster Hall, but of the House of Lords, who are the supreme Judges of the land; who can judge, as the case requires, even without precedent, and from whom there is no appeal. The Judges of the courts of law are but ministers of the law, under the King as the executive power; judging, or rather determining, according to the letter of the law, or in equity, according to conscience, not inconsistent with the law of the land. From them, even though the King sat with them upon the bench, may be a writ of Error, or Appeal to the upper Judges, or Peers of the realm.

natural and constitutional right in himself, of being the first moving power; and whenever the state requires any matter to be transacted, he summons the great council of his people together, jointly to pass a law for that purpose. To him the people trusts the execution of the business to be done, so that he is also the executive power. As this grand council would be too great and numerous, and consequently the crowd obstruct itself, the great majority of the commons yield to us---hence called Electors---the choice of their Representatives to this assembly. These Representatives, in the place of the whole commons, take on them one third part of the legislative body, and of its power. Thus we form one equal third of this great state; which, without any mystery, makes a Trinity in Unity.

I say *we*; for the power our Representatives have, the same we must first have in ourselves, and transfer to them. The derived power is not greater than the one from which it is derived. When they sit in parliament indeed, they form a distinct House by themselves; and necessarily, as a society, form rules and orders for their own government, and the expedition of business. For the like reason, and the security of their persons, they enjoy also certain privileges; such as being free from arrests or imprisonment, except in the cases of treason, felony, or breach of the peace, or being even sued at law, unless they please to waive their own privileges.----How the person of Mr. Wilkes could be at all detained, I leave to other times to explain. These privileges they officially enjoy (I mean official to the public) as being equal to either of the other two states, and therefore, in some respects, superior to law; and the detaining their persons in prison (except for the above crimes, whereby they forfeit their seats, if found guilty) is an open attack upon the state, and no less than rebellion against the legislative authority. The rules and orders which they make for their own dignity, and carrying on the business of the state, are also, as they relate to themselves, superior to the examination of the courts of law, even when occasionally exerted towards other persons offending against them: therefore they and their proceedings must be judged by candid reasoning and good sense; for we have no standard of law, by which to measure them.

Some of their principal rules and orders are: they chuse a Speaker and other officers for the forms of business; and, to keep up their own dignity and consequence, they, in the first place, keep up the numbers of their house or body: they examine the returns of all members; and if any doubts arise about these between contending parties, they determine, upon a petition preferred, the majority of fair voters; which majority alone must fix the representative. They can object to a person returned to them unqualified by law, as being an alien, as not having a sufficient property in the country, or as being in an employment under the crown, prohibiting by act of parliament its possessor to sit as a member (as a commissioner of the customs or excise) and can claim another from the constituents. But they cannot take any exception, unless where certain disqualifications have before rendered the returned member inadmissible: nor can they
make

make a disqualification to take place before the election of a member, without the concurrence of the other two powers in form of law; because they gain to themselves no new authority or power, which was not originally inherent in us their Electors: and as one county, city, town, or borough has no authority over another; so they being the representatives of all the other counties, cities, towns, and boroughs, have no right to interfere in the election of any one county, city, town, or borough. For there are many circumstances that disqualify a person in other respects (as from being an evidence or prosecutor of a suit at law, &c.) which do not disqualify him from being a representative in parliament; which is only executing the office of an attorney to do the business of his principals. They can expel any brother member from his seat for any offence of bribery, perjury, or corruption, committed whilst he sat as member, where the ignominy throws a stain on their own character; but they cannot even so disqualify him, without the concurrence of the other two powers in a law for that purpose, but that a re-election of him will give him again a right to his seat, as the Representative of his employers, if they still think him the properest person to do their business; for the choice is with them.

Their power of expulsion is indisputable for the purpose of keeping up the dignity and order of their house, even for any weak pretence of insult or opposition in such member to their rules or orders; and the utmost they can do is, by such sending him back to his constituents, to declare such their offence against him; but no disqualification, otherwise than as before stated, can at all take place; for a re-election of him re-establishes him instantly in his seat. Otherwise, if that practice of a total expulsion were to prevail, a majority of one or two might change two hundred and seventy-seven or seventy eight members, as often as a ministry wanted their absence. They constantly vote the seat of that member vacant, who during the sitting of parliament has accepted any office under the crown; and as is proved by daily experience, as constantly receive him back, re-elected and restored to his former state of confidence and honour. They also issue writs on the death of any member. They can take into custody or commit persons (not members of the house of Lords) who insult the orders of their house; for they must keep up their own dignity. They can impeach any lord, or any officer of the crown, for high-treason, or misdemeanors against the state, or can commit a brother member for the like crimes: which is a right transferred from ourselves; the right of Englishmen! These, you see, are all necessary powers, naturally accruing to them, as a body forming itself into order; or rights inherent in us, and in them as our Representatives, constituted or exerted for the preservation of themselves, and for transacting the public business.

In the present case of their refusal of the Middlesex Representative to his seat in the house, let us, by the mirror here held up, (which proves them to be ourselves) state the supposition thus: If a majority of counties, cities, &c. of England should insist that any one county, city, town, or borough, should not chuse a particular member who was not any ways disqualified, but we will say from some caprice,

caprice, disagreeable to them, will any one urge, that such majority of such counties or cities, &c. have a right to controul the choice of others? Would not such behaviour look like a step towards oppression, and an intended invasion of their rights? And might there not be reason to fear, lest all the other counties, cities, &c. should rise in opposition to such daring and dangerous usurpation? And what the consequence of this might be, it is much safer to imagine than express. This then is the exact state of the majority's refusal of the Middlesex Representative, which cannot be done with any more power or authority by a majority of the Representatives, than by a majority of the counties or cities of the kingdom, who chuse these Representatives. There is no fundamental right to authorize the general body, nor can there be one to authorize their Delegates. If such a step be taken by the latter, you may conclude that some body of men, or wicked Ministry, are setting up a right of arrogating to themselves new powers. Such an attempt is not only an attack upon your rights and privileges; it is also an insult upon your understanding, as it must be made from a secret belief, that you will allow it.

But, that you may act with the greater deliberation, you ought, before you express any resentment, to consider well who are the instigators or instruments of this new and peremptory proceeding. If you find the majority, who approve it, to be the wisest, most independent, and most unbiaſſed part of the body, you ought certainly to ask the common right of mankind, to be convinced by reason; thinking the good of the community may be meant by them, though they seem to promote it in a very irregular manner.

But if you find them a set of pensioners, placemen, and dependents, (and whether they are or not any one may satisfy himself by examining a list of their names) you may then conclude it is ministerial influence that turns the balance: a circumstance, that ought to enhance to you the value of your Representative, as he is and ought to be more or less dear to you, in proportion as he is more or less disagreeable to them.

But if, in obedience to the arbitrary will of a ministry, such majority should venture again and again to commit such an invasion upon your rights of election, by the repeated expulsion of such your Representative, and give you no reason for so doing, but their pleasure to pronounce him incapable of being your Representative, it will be such a proceeding, as, in the opinion of all serious persons, would amount to a declaration of the assumed power of a number of counties, cities, &c. (as before stated) over one; a violation of your rights, which ought to be withstood, at every hazard. And whatever the consequence might be, it could only be charged upon the aggressors. But let them take care lest they provoke the interposition also of the other counties against them:

Tua res agitur, paries cum proximus ardet, says HORACE:

Your house is in danger of the fire,

When the next party wall grows hot.

And let all majorities beware how they weaken the strength, or degrade the dignity, of their whole body. For such an amputation, as I have above supposed, would certainly weaken the strength, and degrade the dignity, of the legislative body; and perhaps the electoral
part,

part, not allowed to be represented, might think themselves under no obligation to obey any laws or orders thus imperfectly enacted. And if the legislative body should lose its authority over part of the people, might not the question be started by enraged parties, how far it had lost it over the whole? And what might be the consequence of such a doubt or such an opinion, I tremble even barely to imagine.

This is the fair and plain state of the case, and a just representation of your own strength and importance. The question for the abolition of your rights is not yet in your Representatives' power, [they can only attempt] but in your's. You can consent, or not consent to it, to the last. The repeated instances you have given of your steady adherence to your old established rights, have already set us a noble example for the support of liberty. A dereliction of those rights will be a melancholy proof, that liberty is abandoned; but an unshaken resolution, exerted to the last, will confirm the enjoyment of liberty to yourselves and to us. We are all equally interested in the struggle, though you alone are the actors. We can only lend you our vows and our wishes; the praise will be your's alone.

ADVERTISEMENT.

Speedily will be published,

An HISTORICAL PRINT of ABRAHAM putting away HAGAR.

And Abraham rose up early in the morning, and took bread, and a bottle of water, and gave it unto Hagar, and sent her away; and she departed, and wandered in the wilderness.

Designed and engraved by his Grace the D—e of G*****.

To be had at the Author's House in ARLINGTON-STREET, and at the Treasury,
WHITEHALL.

ERRATUM. In our last paper, p. 606, l. 9, for *as misal themselves*, read *as they misal themselves*.

To the PUBLIC.

A GENERAL TITLE and COPIOUS INDEX, of the several Names and Articles, contained in this Continuation, (including this Number) is at Press, and will be ready to deliver GRATIS, in about a Fortnight; and the next Number, CI. will begin the First Part of Vol. II. of this Work.

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